ROYAL COMMISSION ON CONGESTION IN IRELAND.

APPENDIX

TO THE

FIFTH REPORT.

MINUTES OF EVIDENCE

(TAKEN IN LONDON, 12TH TO 28TH MARCH, 1907).

AND

DOCUMENTS RELATING THERETO.

Presented to both Houses of Parliament by Command of His Majesty.

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The Right Hon. Sir John C. R. Colomb, K.C.M.G.

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"To inquire into and report upon the operations of the Acts dealing with Congestion in Ireland, the working of the Congested Districts Board, and the Land Commission under these Acts, and the relations of the Board with the Land Commission and the Department of Agriculture and Technical Instruction; what areas (if any) outside the districts now scheduled as congested, require to be dealt with as congested; what lands are most conveniently situated for the relief of congestion; what changes in law or administration are needed for dealing with the problem of congestion as a whole, for facilitating the migration of the surplus population from congested areas to other lands, and generally for bettering the condition of the people inhabiting congested areas."

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DIGEST OF EVIDENCE

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Area of the Board should be more limited than at present, 23094.

It should be within the discretion of the Board to decide what areas within scheduled districts should be dealt with, 23778-9.—But a district was demoralised by being scheduled if it did not require it, 23779.

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Determination of degree of poverty, justifying declaration of area as congested should be left to an expert such as a Local Government Board Inspector, 23140, 23775.—Important that determining authority should not be open to popular pressure, 23777.—Much wider discretion than was given by Act desirable, even a townland was too large a unit, 23212-3.

Witness would approve of such discretion as was enjoyed by Scotch Board, 23176, 23746-9.—Some definition needed, 23214-6.—Should lean rather towards townland than electoral district, 23217.—There should be power to exclude and include areas of any size, but susceptible of clear delineation, 23218-9, 23738.

Works like drainage or road work were of great advantage to poor districts, 23124-3.—And could be carried on as well under proposed new principle, 23144.

Local knowledge the best guide to such areas, but should be kept in check by official inspection, fatal to permit allocation of districts by local bodies, Congested Districts Board must be independent of popular pressure and Treasury red tape, 23738.—Treasury had facilities for putting difficulties in the way of working schemes long before it came to point of refusing money, 23820-2.—Witness had formed his opinion from his experience in railway matters, 23823-4.

Unit should be defined by some natural boundary such as a river, 23739-40.—Unit would often work out to townland and electoral divisions, but not always, 23756.—Definition in witness's mind was a geographical definition, 23741-4.—And must be arrived at by competent authority in close touch with local people, 23745.

As things now were it was often impossible to include spots on the fringe of districts scheduled, 23746.—There would be no great increase in the number of scheduled areas, 23764.—A few poor families would hardly constitute congestion, 23741, 23750.—By which witness meant acute poverty due to unemployment, 23751-2.—Witness's proposals would make no radical difference except along boundary lines of scheduled districts, 23790.

In case of very small community in great want Board could set a Parish Committee to work, 23753-4, 23759.—Very small areas would not admit of migration or enlargement of holdings, 23782-5.—There were other remedies, 23786-7, 23792-4.

Witness saw no reason to apprehend difficulty in the matter of technical and agricultural education, 23759.

Poverty defined as great struggle for existence due to want of employment, 23766-7.—Board should still have a free hand, 23788.—Wherever acute poverty occurred it should be scheduled, 23791, 23854.—Witness meant that subject to acceptance of revised schedule, Congested Districts Board should be machinery for re-settlement and re-arrangement of estates all over Ireland, 23855-8.

Law should be changed so as to base definition of congestion on want of employment.—Local Government Inspector to be authority to decide subject to review, 23825.—Schedule should include all districts or areas requiring relief, estates purchased by Congested Districts Board, and estates transferred to Board after being purchased by Estates Commissioners under Act of 1903.—Congested Districts Board to have full powers to carry out its work and expend its funds on any lands included in schedule, 23825.—Fallacy to assume that enlargement of holdings generally to £10 valuation would be any cure for much of poverty existing within scheduled areas, 22935, 23768.

Thousands of acres available for migration, care needed that land should not be tilled if it could be grazed to greater advantage, nor to transfer migrants ignorant of agricultural methods to lands requiring good farming, 22935.—Migration might be of great advantage if land were suitable and people knew how to treat it, 23093, 22297, 23326.

Congested Districts Board and Agricultural Department were both doing educative work, and could usefully extend and improve it, 23299.—Education should be given in part at least before transfer, 23300.—Because with a larger holding there was more chance of making profit with less work, 23301.—The man who had been cultivating 5 acres would still cultivate same amount and let rest go to grass, 23303-4.—He would doubt possibility of more profit, 23305-6.

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Bad farming on small holding due to ignorance, not poverty of land, 23310.—There were some cases where it was impossible to make a good thing of a holding, 23311-3.—And there addition to farm would improve tenant's position, 23314-5.—Witness in favour of migration so long as reasonable care was exercised in selecting best men to move, 23317-8.—Best man would be most intelligent farmer, not the man with biggest holding unless it was fairly tilled, 23320-2.—Witness not prepared to accept Mr. Doran's table showing success of migration, 23323-6.

Emigration of whole families advocated from thickly populated parts, where rundale and mixed plots abounded, emigration far less costly than migration, 22935. Only remedy for certain areas, 23056, 23123-4, 23132. Areas referred to were places like South Galway, especially islands of Gorumna, Lettermullen and Lettermore, 23124.—Condition of district from Clifden through Spiddal to Galway a standing reproach to Congested Districts Board and Agricultural Department, 23204-7.—Good deal might be done to aid fishing and turf industry, 23207.—Congested Districts Board ought to have money for that class of work, 23209.—They had made a pier at Costello, but another was wanted; construction of causeway connecting islands with mainland had been of great assistance, 23210.—Emigration to Canada reported on by Sir H. Plunkett.—Witness did not mean to go beyond Sir H. Plunkett's report, 23285.

Amount expended of grants under Tramway and other Acts more than witness had thought, 23285-8.—Irish emigrants did not go on the land, 23290-1.—Witness denied and protested against proposition that those who persisted in remaining where they could not live had a right to set up claim injurious to rest of community, 23306.—Compulsion not advocated, 23125.—Whole family should be transplanted, 23126.—Facilities should be given for voluntary emigration, 23825.—Necessary to work good land, 23157.—They knew nothing of tillage, 23158.—They would have to go as labourers before they could till land for themselves, 23151, 23157, 23159, 23202, 23293-5.—Difference between trained labourer and novice was an admitted difficulty, 23160-1.—Older and weaker members of the family could not be worse off than they were in Ireland, 23203-4.—Emigration should be a last resource, 23162, 23186-7.—But it was more likely to succeed than migration, 23162, 23292.—Development of fisheries would be best remedy for all, 23163.—Emigration falling off, only districts where it exceeded one per cent. of population were in congested areas, 23056-7.—Return for 1906 showed an increase, 23078.—Returns for last February showed, witness believed for the first time, a majority of emigrants from Ulster, 23079.

Witness deplored nature of present emigration, departure of the young and strong, 23105-7, 23148.—Preponderating reason for emigration was desire to make a better living, 23108-13.—They probably would do better out of Ireland, 23112.—Unsettled state of Ireland helped to drive them out, 23115.

Emigration of 1883 and 1884 carried out as a policy by Government, £150,000 voted to assist emigration of whole families, 23116-7.—Applications numerous, but only for very limited time, 23118-9.

Rapid improvement in Ireland evidenced by capacity for accumulating capital, increase of trade and shipping tonnage, rise in price of agricultural produce, increase in number and value of stock, increased producing power of soil, great increase in all means of communication, comparison of Census returns and education statistics, 22935.

Increased capacity for accumulating capital shown by increased deposits in joint stock banks and in Post Office Savings Banks; Post Office deposits, £2,592,000 in 1886; deposits in Joint Stock Banks, £45,842,000 in 1906, 22939-40, 22942.—Witness did not mean to say that it was all result of profits derived from land, but improvement had been steady, 22941, 23021.—Farmers often did not put their money beyond deposit account, they did not know how to invest it, 23022.—No means of getting statistics allocated so as to know what was in congested areas, or how much was agricultural, except for last year, 22943, 23018, 23028.

Occupiers of land in Ireland did not like putting capital into the land, and they did it to a limited extent, 22970.—If they could be induced by education, etc., to put capital into the land it would immensely

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conduce to prosperity, 22971, 22978.—Increase productivity of soil, 22981.—Their reluctance to do so and the dislike of young men to farming contributed greatly to the difficulty of the Irish problem, 22972-5.

Reluctance to put capital into land due to ignorance, 22982, 23045.—Witness did not mean to say they put no money into the land, but they did not put in what was required for intensive farming, 23045.—Best hope for improvement lay in spread of appropriate knowledge and education, 22983-4.

Witness did not think that security of tenure given by purchase affected readiness to put labour and capital into holdings as a general thing, 22986-90, 23001, 23007, 23014.—It might affect smaller estates, but on the large properties tenant was as safe before as after Land Acts, and he knew it, 23002, 23053-5.—Mr. Gladstone in introducing Act of 1881 had exonerated Irish landlords as a class from imputations cast on them, 23004.—For twenty-six years there had been absolute security for occupier and his improvements, and yet capital was accumulating and not going into the land, 23008-15.—Some purchasers did well, but not all; Derry settlers complete failures, younger men would not work, mock auctions constant, 22992, 23005.—Three or four men needing money called in an auctioneer and bought each other's land and passed notes on which a certain amount of money could be obtained through the auctioneer, 22998.—Whole thing a fraud, 22999.—Lands let for the crop, 22999.—On Lord Bath's estate in Monaghan owner had spent large sums on improvements, land had now been bought by tenants, who were patterns of industry, though Barony of Farney had always given trouble, and on the face of things the Derry men were much more likely to do well, 22999.—Cases quoted not to be applied generally, 23006.—In certain cases small holders had shown a new spirit of industry and development after purchase, but witness thought not in the larger number of cases, 23014-7.—Legal insecurity before 1870 might have had deciding influence on disinclination to put capital into land, 23019-20.—Witness did not say that increase in deposits was evidence that capital was not being put into the land, but that the increase showed an advance in career of improvement, 23023-7.—Increase general, 23029, 23037.—And if farmers were putting money on deposit agriculture must be doing well, 23030-1.—Prices had risen, not fallen, during last twenty years, 23032-5.—Increase in deposits as far as derived from agricultural produce was an instance of the remarkable fertility of the soil, 23036, 23041.—Witness spoke from his own experience in regard to non-investment of money by farmers, etc., 23039.

Large price paid for tenancy interest by one occupier to another proved that occupier must have capital or credit, 23047-50.—Rise in cost of labour nothing in comparison with rise in price of agricultural produce, moreover cost of labour largely counteracted by use of machinery, 22945, 23042-3.

Producing power of soil increased partly by labour put into it, 22947.—Partly from works carried out by landowners, arterial drainage, etc., 22948, 23042.—Increase was general, 22949.—Census returns since middle of last century showed reduction in number of miserable houses without windows, etc., percentage of people unable to read or write reduced from 45 to 14, etc., 22950.—Only fifty members of Co-operative Organisations in whole of Ireland in 1889; 51,000 in 1901, 90,000 in 1906, 22968.—Returns also showed that population was less physically sound, but that was not confined to Ireland, 22952.—And was to a certain extent due to emigration, 22953-4.

Labourers of a country only one item in its prosperity, 22957-8.—Witness did not maintain that the country was prosperous, but that it was improving, advancing towards the goal of prosperity, 22959-67.

Industrial or technical education of a practical kind gave immediate alleviation in struggle for existence, 23056, 23067, 23259, 23284, 23192-4. Should be extended in all branches of useful industry, 23825.—Receipts of Congested Districts Board's lace and crochet classes, £21,573 during last year, though turnover of many classes was unsatisfactory owing to irregular attendances, etc., money earned in eight classes held in seven electoral divisions exceeding total poor law valuation of land in those divisions, 23063.—£42,000 brought into County Donegal from fishing alone, 23065.—Shirt-making and sprigging in Donegal, 23260.

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Congested Districts Board more successful than Agricultural Department, though the latter was doing good work, 23066.

Success in industry depended more on industry and character of people engaged than on demand, 23069-71.

Difficult to say whether development of technical education would result in sufficient work for agricultural population, but it would give very large assistance, 23196. Carpet factories not the outcome of technical instruction, 23255-6. Witness did not know how far Foxford Woollen Factory was the result of technical instruction, 23256-8, 23282-3.—Instruction not likely to lead to emigration because the industries were mostly among women, who did not usually want to leave home, but if it did it would not be an unmixed evil, emigrants from Ireland had sent back £17,000,000 in a period of twenty years, and it would relieve people of support of some members of the family, 23261-2.

Local agricultural experts should be appointed to reside in districts and instruct and advise peasantry, 23825.—Parts of maritime seaboard very poor, and densely populated, some of the men migrated for labour, idling on return, but able to live in decent residences and pay 2*s.* 6*d.* a pound for tea, others could earn wages at industrial employments or in fishing, 23056.—Where there were no such resources, and people would sooner leave the country than migrate, the only remedy was organised emigration, 23056.

Migration improved a man's character and abilities, migratory labourers acted as leaven in their districts, 23132a-5.—Continuation of migratory labour did not necessarily mean that district supplying labour must remain in its existing condition, 23136-8.—Witness would be very sorry to see it stopped till other ameliorative influences were in operation, 23139.—Very few migratory labourers did any work on their holdings, 23180-2.—They were away just when work was needed on farms, 23183.—They worked under compulsion abroad, 23184.

Re-arrangements between landlord and tenant had been made for mutual benefit on large properties, a few landlords had given a bad name to the whole body, 23072.—Grazing tracts in many cases resulting from emigration, not clearances, 23074.—Witness had heard of clearances to create grass land, but never had any proof, 23075-7, 23164.—Breaking up villages and consolidating holdings quite a different thing from clearances, 23096.—Villages had been broken up and farms consolidated, each tenant being placed on his own holding in Loughnagin and Ballymacool on witness's own estate, 23097-101.—No odium attaching to landlord, 23098.—Great advantage to tenants, 23099.—Premiums, etc., offered for agricultural societies had great effect in increasing knowledge of agriculture among tenants and stimulating competition, 23101-2.—Glenveigh evictions very unfortunate, 23167; late Mr. J. G. Adair had turned out tenants who refused to give up the murderer, 23168.—Evictions generally deplored, etc., 23169-71.

Standard of comfort had been rising steadily on the whole, 23103-4.—Cost of living had gone up, 23172.—Pity that so much tea and white bread were used, 23173.—Irish people in the West were lazy and disliked work, not the land, they looked on land as the easiest way of making a living without work, 23188-91, 23239-40, 23243, 23263.—Present agricultural condition due to neglect of farmers, 23241.—Idleness a natural characteristic, 23370, 23444, 23817.

Migratory labourers migrated because it was their only chance of supplementing their living, 23197.—They were very small holders or relatives of small proprietors, 23220-1.—Agriculture done on holdings would amount to very little, a few beds of potatoes, 23222-6.—They were mostly only at home in winter months,, 23227-9a.—They could do draining, repairing of fences, etc., in winter; most of the holdings required drainage, 23230-5.—Replies to questions circulated by Irish Landowners' Convention to effect that if new holdings were given to tenants they would till as small a portion as possible, that much land was wasted, etc., 23237.

Drainage only possible where there was an outfall, in some cases it might be impossible to make a main drain or get it made, 23269-78.—Construction of main drains should be placed in hands of a proper public department 23279.—The higher the rent within fair limits the greater the stimulus to industry, 23352-8,

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23366-8.—Witness did not agree with the old idea of the more you salt your land, the more you stimulate the industry of the tenant, 23359-62.—But the Irish tenant needed a stimulus to enable him to make a right use of his great intellectual powers, 23363-5, 23445-6.—Witness would have said same thing before 1881, 23372-3.—Fact that improvements had been made the occasion of raising rents might account for tenant's attitude, 23397.—Also idea that ownership of the land had been acquired by confiscation in the past, 23398-9.

The Dillon property was fairly good land, 23242.—Much more energy in Ulster than in any other part of Ireland, 23244-5.—Climate had something to do with it, 23264, 23266.—Holdings reclaimed from bog tended to revert unless considerable labour was expended on them, 23247, 23253.—But with more labour and knowledge they might be greatly improved, 23254.—Mayo holdings bog originally, 23248.—Potatoes could be grown in peat treated with lime, 23250-2.—Waste in Ireland of food such as tripe, which could be used in England, 23266.—Apathetic people capable of transient bursts of energy, 23267-8.

Certain districts needed supply of new seed as preventive against potato famine, supply should be exchanged for equal quantity of their own growing, 23285, 23325.—Because free grant was never so much valued, 23280.

Belgian and French conditions could not be usefully compared with Irish, M. de Molinari pointed out that rents in Flanders were higher than in Ireland, and that sub-division of property in France and Belgium had been work of centuries, and that peasantry had acquired the order and economy necessary to success before becoming proprietors, and concluded that Ireland suffered not only from her disorders, but also from her doctors, 23306.

No country in Europe where conditions of mutual ownership were same as in Ireland, no country where condition of peasants was better, 23329.

M. de Molinari's letters, written in 1880, before fair rents were fixed, 23330, 23337-9.—Even then the Ulster custom existed, 23331.—And there was not same freedom with regard to rent as in England, 23333.—There was a great deal of co-partnership, 23335.—But witness did not think the Ulster tenant-right made any difference with regard to rent, 23336. Act of 1870 gave fixity of tenure and legalised custom where right existed; tenant did not own a spoonful of soil up to present date, 23342.—He owned the goodwill, and witness did not deny that landlord's interest being less, his rent must be less in Ireland than in England, 23343-5.

Holdings of three to five acres (15*s.* to 20*s* valuation) better security for advance than larger ones, income of tenants less precarious, being half in wages, value readily realised in case of default, 23345, 23370, 23428-30.—Observations only applied where there was a demand for labour, 23350-1.—And tenants were hard-working men, 23371.—Addition to holding would make such tenants very safe for instalments, 23401.—Whether they worked hard or not was a question of individual character, 23402. Lagan farmers energetic, but they were large farmers, 23403.—Hired hands they employed were also energetic, 23404. Security might be partly personal, but State had admitted a loss on certain classes of holdings, 23431-6.

Congestion admittedly due to past action of British Government, therefore Government should compensate tenants at their own, not at landlords', expense, 23436-8, 23447. Witness denied that landlords were getting fair or high price, 23439.—Landlords purchasing under conditions created by Cromwell's action would have no moral claim to compensation, but men who bought under Landed Estates Court bought under recognised conditions since upset by Acts of Parliament, 23440-1.—They often bought on a false rental, 23442-3.—Low rents not easier to collect than moderate ones, 23345.

Colonel Humphrey's estate at Glendoan prosperous, rents regularly paid, whereas Mrs. Hewitson's tenants at Garten were deep in arrears, 23405.—Humphreys had been very good landlords, 23406-8.—But Mrs. Hewitson was also very generous, 23409.—Arrears should not be allowed to accumulate, 23411-4.—Only two years' arrears could be taken under the Act, 23415.

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Estates Commissioners anxious to abolish zones, 23345.—Impression gathered from evidence, 23348. Commissioner Bailey had said that conclusion that case was made for abolition of zones might be drawn from case of estate in Westmeath, 23452,—that inspection in every case was the only remedy—that under zone system State took all responsibility for advances made, but it was another matter whether the State was justified, 23458.—that Commissioners were able to set aside zone system to a certain extent, and it was important they should be able to do so more widely, but he preferred not to give an opinion as to whether zones should be set aside throughout Ireland, 23459.—Mr. Bailey's evidence did not constitute an attack on system, but it showed his attitude of mind, 23466-9, 23473-4, 23476-8.—If Commissioners were opposed to zones only in case of congested areas, it would be a relief to minds of landlords, but it had never yet been determined by a competent legal tribunal whether zone system applied to sections 6 and 7 as well as to section 1, 23481-3, 23491-4.—Mr. Bailey's statement as to danger of calling very poor properties estates, and so bringing them within zones meant that it was not desirable for very poor estates to come under the zones, and that Commissioners were obliged to refuse to call such properties estates so as to force owner to sell direct to Commissioners, 23484-7.

Mr. Finucane argued that it was undesirable that a landlord should be able to sell direct to tenants in case of a congested estate where it would be practically stereotyping existing conditions, which could be done under zone system; he advocated a gigantic compulsory benevolent experiment, and witness inferred that he aimed to do away with zones, 23496-513.—Landlords not impeccable, but in the Land Courts the landlord's case was usually allowed to go by the board, 23385-92.—He did not often defend, partly perhaps because costs were heavy, 23392-4.—And he found that giving evidence had little effect, 23395.

Witness approved of amalgamation of two uneconomic holdings, 23416, 23419-20.—Perusal of the O'Conor Don's paper against amalgamation might modify his views, 23417-8, 23421.—Holder would not break up more than an acre, 23425.—And could not have outside labour for farm of that size, 23422-7.

Parish Committees the most successful organisations hitherto employed, 23514, 23617.—Their operations hampered by want of funds, restrictions imposed by Treasury and Estates Commissioners, and certain local doubts and difficulties, 23514.—Nature of work done, a great deal more than sanitary work, 23760.—Appropriateness of methods, skill displayed by Congested Districts Board in choice of men in charge of Committees, 23768.—Any district could set up a Committee with consent of Board, 23770.—But it rested with the Board to say whether or not they would operate, 23771.

Loan bank at Geesala had lent out £1,100 in one year in sums not exceeding £5, paid back in lump sum at end of period never exceeding eleven months, enabling people to buy young stock, bring them up, and sell them at a profit, no case of loss, 23768-9. Witness thought highly of system of agricultural banks if managed on sound business basis, not on popular lines, 23773-4.—Raffeisen banks worked well under popular management, but Germany was not Ireland, 23795-804.—Popular management was a vague phrase, what witness objected to was management by an elected body where election was not confined to members, 23806-12.

Agricultural operations transferred to Agricultural Department had been better and more efficiently performed by Congested Districts Board in congested districts; industrial and technical instruction in congested districts should be carried out through Congested Districts Board; success of Board due to skill with which it had selected men to work its schemes, it would be criminal to discontinue or hamper such work as was being done; Agricultural Department acted on different principles from Board, they required a rate in aid from a county before formulating a scheme in aid, and when formulated, the scheme was quite inelastic, extending over whole county, on same basis, consequently amounts voted were not used, 23514, 23519, 23537-8, 23628.—Witness spoke only of Donegal, 23517-8, 23633-5.—And to

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schemes for improving breed of cattle, 23520, 23629, 23630-2.—County rate 1*d.*, Department's contribution 1½*d.*, in the £, Congested Districts Board existed to bring low standard in congested districts up to normal level, and their work should be carried on till this was done; lectures, classes, etc., very useful for intelligent farmers, but Greek to a Claddagh fisherman, 23514. There had been some trouble about instructors, 23526.—Cattle scheme in Donegal inelastic, local needs disregarded, 23528-30.—This work and spraying of potatoes much better done by Congested Districts Board, 23531-3.—Principle of helping those who helped themselves was sound enough, 23534-6.—Any scheme should be applied by a local body and worked from an accessible centre, 23607-10.—County Committee could formulate scheme, but its acceptance rested with Department, 23623, 23627.—Scheme of Donegal County Council over-ruled, 23624-6.

Objection to Mr. Doran's views on compulsion, 23514.—Civil war would be a mild term to apply to result of such compulsion as Mr. Doran proposed, 23568.—Compulsion unnecessary, large areas of untenanted land could be obtained voluntarily if fair price were offered and uncertainties, etc., attaching to sales removed, 2382,5 23911, 23919.—Objection to statement that breaking up grass farms into small mixed farms would rather increase than diminish number of cattle that could be reared, 23541-2, 23584-5, 23602-3, 23710.—Not clear whether Mr. Doran meant store or stall-fed cattle, 23712-4.

Twenty-five-acre mixed farm would not carry more than fourteen head of cattle whereas 100-acre grass farm would carry 100 or 200 if owners ran it twice in the year, 23564.—Stall-feeding might be carried on on twenty-five-acre farm, 23601.—And might improve land by a good manure, etc., though less cattle were carried, 23604.—Difference of conditions in Belgium, Flanders, and Switzerland made comparison useless; Irish climate would not permit the growth of stolen crops, 23566, 23586, 23588-9, 23692-3.—Stolen crops sometimes heavy, but that required intensive farming, 23715-9.—And there was also the difference in the habit of the people, 23566, 23586, 23589, 23597-600.

Some grass land would be better in tillage if migrants were capable of tillage, 23570, 23574, 23576, 23595-6, 23607, 23726, 23729.—And only that land should be taken, 23578.—Personal inspection the only means of discovering whereabouts and extent of such land, 23581-2.

Breaking up of fattening land undesirable from the economic point, 23571-3, 23575, 23594, 23699-700, 23720-1, 23727-8.—Mr. M'Cann's experiments not on fattening land, and had the incentive of unusually high rent, 23723-5.—Mr. Finucane's evidence as to stall-fed cattle in Switzerland and Belgium had convinced witness that he was absolutely ignorant of all practical matters of agriculture, 23588.—Stall-fed cattle could never be turned out to graze in Meath, 23588, 23697, 23709.

Small holders could stall-feed beasts long enough to prepare them finally for the English market if they were competent, 23704, 23706-8.—But they would not be able to keep so many cattle as on grazing farms, 23705, 23709.—General tendency all over the Kingdom for land to go from tillage to grass, 23549.—Did not apply in very small holdings, 23550.—If four holders of twenty-five acres held permanent pasture in common it would be an improvement, 23619-20.—Cattle must have a run, 23565, 23688.—And since seventy-two per cent. of holdings in Ireland were under thirty acres, seventy-two per cent. of occupiers had to part with their stock before it was matured, 23551.—Remaining twenty-eight per cent. of large holdings provided market for that stock, 23552.—And if grazing lands were cut up there would be a considerable dislocation in the cattle trade at first, 23553-60, 23583.—Very careful inquiry needed, 23561.—Market would be affected because Meath men would only buy forward stores, 23636, 23642.—And if best class of store land were broken up there would be a gap between the man who reared and the finisher, 23636-7, 23730-2.—Scotchmen and Englishmen would come in and buy, but not at same prices, as they would have to pay same freight on less valuable animals, 23638-44.

Young cattle from Donegal did not go to Meath, 23645.—Some went to England from Roscommon, 23647.—Cattle raised on small holdings and sold before winter were bought locally, 23650, 23662.

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Very few cattle under 1½ years went to England, 23651-4, 23664-5.—Some went to Scotland, 23655.—Witness believed the Scotchman would pay a little less than the Irishman, 23659.—Local dealers bought them at fairs and took them to Scotland, 23663.—Price paid for 62,000 calves exported from Ireland probably less than that paid in Ireland, 23669, 23764.—They might have been exported for want of a market in Ireland, 23670-3.—Exports probably consisted largely of calves reared near the ports; cheaper to ship them than to carry them by rail to grazing grounds, 23734-4.—Not advantageous that cattle trade should be regarded as the only agricultural industry of Ireland, 23675.—Proper system of mixed tillage would increase wealth of the country, 23685-6.

Industries had been of great benefit in congested districts, 23611.—Any new industries started had been introduced by Congested Districts Board, 23613.—As had been also the Parish Committees, 23617.

Law should be altered to enable Congested Districts Board to clear equities in cases of titles of lands, 23825, 23911.—Estates Commissioners should convey to Congested Districts Board any congested portion of estates they purchased, or any portion which was to be used for relief of congestion, 23825, 23826-7, 23831-3, 23878, 23880-1, 23911.—Change in law involved, 23828-9.—Witness did not suggest that their power to purchase should be withdrawn, 23830, 23838.—Congested Districts Board might not have sufficient funds to make purchase, 23836-7.

Comparing the two authorities the Congested Districts Board was better suited to deal with all questions relating to congestion, but there was no reason why Commissioners should not continue to buy land, 23841-2.—Witness would leave to each body its existing power to purchase, 23844-53, 23859-61, 23882, 23888.—It was important that the improving body should have a determining voice in fixing price, 23867, 23885.—But Congested Districts Board could not lose money to same extent as Commissioners, 23868-73.—There might be no limit to rate at which Congested Districts Board might lose, but they had not the money to lose, 23875, 23898.—Existence of two purchasing bodies had no effect on price of land, 23879.

Witness was not satisfied with operations and method of procedure of Estates Commission, 23883-4.—And if transfer of purchase of all congested property to Congested Districts Board were coupled with grant of sufficient funds and same powers as were given to Estates Commissioners he would be inclined to approve, 23886, 23889-95.—Although purchase by Congested Districts Board was outside zones whereas purchase by Estates Commissioners in congested districts was governed by zones as far as need be, 23887-8.—Loss realised by Estates Commissioners was borne by the State, whereas Congested Districts Board had to pay out of their own income, 23899.—Fair Compromise if the State were to bear loss incurred by Congested Districts Board up to ten per cent., 23901-2.—Witness agreed that purchases could be made outside the zones, 23903.

Landowners objected strongly to the manner in which Land Acts were administered, and as a body profoundly distrusted Estates Commissioners, 23912.—Whose report and evidence before present Commission showed partizanship, partiality, deficient knowledge, etc., 23912.—Convention represented a large number of landlords, but of course many small landlords did not belong, 24814.—Witness willing to adopt Mr. Kavanagh's suggestion and alter expression "landowners" to "landowners represented by Landowners' Convention," 24813.—Report announced that Commissioners were at variance among themselves as to primary scope of their functions, 23912, 23925.

Things were more satisfactory when different rules and regulations were in force, 23927.—Proper rules and regulations would enable Commissioners to arrive at better knowledge and decisions, 23929-31, 23935.—Former rules required inspectors to undergo a preliminary examination, 23931-2A.—That did not exist now, 23933.—With result that men sent out to report on prices were not proved competent, 23934.—If Commissioners were guided by men of competent knowledge they would be less likely to differ, 23936-40.—Prior to 1903 Sub-Commissioners were used to make fair values, 24381-2. Witness had confused inspectors and temporary Assistant Commissioners, 24409.—

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Assistant Commissioners were borrowed by land purchasing authority prior to 1903, 24413-5.—Landowners' Convention objected to action of Government in reducing tenure of temporary Assistant Commissioners from three years to one, and in dispensing with Civil Service Examination of candidates, action was uncalled for and unjustifiable, 24410, 24417-8.—If reduction was made on recommendation of Land Commission it was an argument in support of witness's objection to actions of Land Commission, 24423-4.—Government was under no statutory obligation to retain examination, 24432.—Temporary Assistant Commissioners first appointed on 13th March, 1899, 24426.—Witness gathered that Sir A. MacDonnell had said he thought it very important to have permanency of tenure to cope with the difficult duties of the Land Purchase Department, 24430.

Witness thought differences between Estates Commissioners were on questions of fact and questions of policy, largely on fact, 23491-3.—Commissioners differed as to instructions to inspectors and principle for estimating security, 23912.—That was a question of policy, as was also principle for estimating security, 23949, 23950.—But Inspector's report to Commissioners was a matter of fact, 23946, 23950.—Rules and regulations limited discretion of Commissioners, 23951.—He considered that Commissioners should exercise some discretion, 23952-5, but thought that regulations of March, 1906, conferred greater discretion on Commissioners than previous ones, 23956-7.—And that the wider the discretion the more likelihood of differences of opinion, 23958-9.—Variance was a serious matter for landlords, 24050, 24053.—Of course where there was a difference of opinion the majority must carry the day, 24051-2.

In regard to principles for estimating security witness's objections were best embodied by reading Mr. Wrench's minority Report, 24061.—Possibly principle of fixing fair rents did not come in in principles laid down in Report, 24062.—Statement of principles sounded all right, but the working of them was a different matter, 24066-8.—Witness could not give a single concrete case where operation of principles had worked injustice to landlord or tenant, 24068.—Remarks of Commissioners with regard to future free importation of Canadian cattle, etc., seemed to witness quite wrong, 24069.—Landowners objected to results, but had no means of knowing how Commissioners arrived at those results, 24070-1.

All estates sold through Estates Commissioners were (*a*) sold within the zones, (*b*) outside the zones, (*c*) purchased in Land Judge's Court, (*d*) sold direct under Section 6 to Commissioners, 24072-3.—Estates sold within zones formed the largest category, 24074.—In regard to estates within the zones the function of Commissioners in regard to fixing price ought to be purely ministerial, 24075-6.—They had no means of directly defeating operation of zones except by refusing to declare property an estate, but they could practically affect it by delaying to declare it an estate, 24077-8, 24970.—Object of power was to prevent any undue intimidation or duress, 24972.—Witness would not impute malfeasance to Commissioners in regard to refusing to declare property an estate, but he thought there were cases in which they seemed to have refused unjustifiably, 24974-7.—Witness objected to Commissioners' action in regard to the Blake-Foster estate and any similar case that might arise, 24079-81.—Witness did not believe the Act gave Estates Commissioners power to exclude a property from the zones, 24082.—Landowners had been trying to get a case, but had been unable to do so, 24083, 24089.—Landowners said that power to declare a property an estate was given in order to facilitate sales, and it was not unreasonable to ask Estates Commissioners to declare property an estate before going to expense in negotiations which might come to nothing, as it was they had to wait till everything was gone through and it might take years, it was a grievance that deterred many men from selling, 24084, 24170-5, 24181-4, 24194, 24211, 24564.—As soon as property was declared an estate owner could go to his banker and draw money on the strength of it, 24085.—And interest dropped to 3½, 24086.—Landlord agreed to accept percentage on purchase money in lieu of rent, 24176.—And Estates Commissioners only paid him if they got it from the tenants, 24177-80.—In some cases landlord had been allowed to collect interest, but it was not the rule, 24179.—If in the end the Estates Commissioners refused to declare property an estate arrears would have been accumulating, 24185, 24188-90, 24208.—Due to difference between rent and interest paid during interval, 24186-24210.—Arrears of rent for over two years could not be collected, 24209.—Balance recoverable by civil process, not by ejectment process, 24212-3.—Under Arrears Act, 1882, tenants paid one year and Government one, 24377.—Interest always below rent, 24187.—Not declaring property an estate would prevent landlord from selling at all, 24189, 24191A-3.—Ultimately when purchase money was paid down landlord was entitled to receive year's rent in respect of arrears, 24195-6. Arrears had accrued since Estates Commissioners came into operation, 24197-200, 24263.—Collection of interest according to Land Commission Report highly satisfactory and creditable, but witness knew of cases of arrears, 24264-9.

There was some advantage in allowing provisional state to last in cases of properties in rundale, etc., but there were many disadvantages, 24201, 24983.—Advantage would only apply where owner afterwards desired to exclude land, any outside land he wished to include could be dealt with by Commissioners declaring it to be an estate by itself, 24981-2.

Under the Act, Commissioners had not authority provisionally to declare an estate, 24202.—Some of the advantages could be secured in other ways, and owners of congested estates felt the prolonged uncertainty as a great hardship, 24203.—Landlords relieved from cost of collection, and though an agent was still needed to manage property witness did not think many owners would continue to pay full salary when collection had ceased, 24204-7.

Where lands were sold direct to Estates Commissioners sale was voluntary in its inception and landlord need not accept price unless he chose, 24984-7.—But the awkward part of it was that tenants got wind of price offered by Commissioners and resented going on at old rents if landlord refused to sell, 24988.—Very difficult to avoid such a result, 24989-90.—But some more automatic arrangement would improve matters, 24991-2.

Mr. Wrench had been a Land Commissioner since 1887, whereas the other two Commissioners had been only three years in Chief Commission of Land Commission Department, 23914.

Report of Estates Commissioners abandoned relative term of years purchase, or percentage of reduction, and gave land prices in standard quotation of cost per acre and proceeded to compare prices ruling on this basis before Act of 1903 with those under it, drawing conclusion as to appreciation that had occurred, without any attempt to prove identity of things compared, 23914, 24130-7.—Witness objected because it was a very popular way of indicating value of land, tenants would jump at it at once, 24136.—It was most misleading and damaging to landowners, 24138-9.—Rate per acre under Act of 1903 stated to be £13 4*s*., 23914.—Reference was Report of Estates Commissioners, page 14, paragraph 3, 24167.—Tenant able to purchase fee-simple of acre of land for price of a cow and get a loan to pay for it, 23914, 24233.—£13 4*s*. a ridiculous price for an acre, 24234, 24237-8, 24246.—Different conditions in Essex made comparison useless, 24235-6.—Impossible to say without examination whether apparently worthless land was overvalued at £13 4*s*. per acre, 24242-3.—Impossible to stick to one average price for an acre of land, 24245.—Witness objected to acreable price, 24014, 24042.—It was damaging to landowning classes, 24239-40.—Notorious that former Land Purchase Acts left untouched most properties owned by solvent landlords and occupied by punctual tenants, most of the earlier transactions were in the nature of forced sales, which would under no circumstances furnish a fair standard, 23914, 24000-1, 24000-8.—Witness did not say that no solvent properties were sold, 24002.—Sale of Lord Bath's estate was in nature of forced sale, 24003-5.—More accurate to say that two kinds of estates were sold, encumbered estates, sales of which were forced sales, and estates of rich men ready to sell at a loss in order to get out of troubles of landowning in Ireland, 24009-10.—Witness made no statement that Commissioners were not basing their operations on second term rents, 24129, 24142.

Framers of Act of 1903 recognised that a gap had to be spanned between what owners would take and what owners would give, Mr.

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Wyndham had estimated money side of land problem as £4,000,000 worth of second term rents; second term rents were selling at 24·8 years' purchase, 23914, 24248.—Nothing in the Act to show prices at which land should be bought, 24126-8.—Mr. Wyndham took £4,000,000 per annum as highest estimate of total amount he would have for purchase, 24399-401.—And therefore considered that lands should be sold on an average at 25 years' purchase, 24403-4, 24836, 24839, 24842, 24848.—Mr. Wyndham had said the Bill provided incidentally for 22 years' purchase of second term rents and something over 18 years' purchase of first term rents, but he was referring to minimum price which Bill provided should be paid to landlords plus the bonus in cases within the zones, 24842.—Debate from which Sir A. MacDonnell quoted was grounded on an attempt by tenant party to knock the bottom out of the zone system, 24847.—When he said that the Act contemplated 25 years' purchase witness meant that Act provided money for sale of property the rental of which was known, and also for zones; to bring cases within zones bonus must be taken into account as well as advance to tenants on which tenants paid interest, 25053.—There was provision for selling at a lower rate voluntarily, 25055-6.—Witness concluded that price of land selected by Commissioners was not a fair example; that so far as prices were higher the fact was due to better class of estate sold, 23914.—Witness did not know that landlords had any desire to inflate prices; of course they wanted the best bargain they could get, 24252.—Estate offered at 17 years' purchase before the Act sold after it for 24½ years, fair price if within the zones, 24253-9.—Such increase of price had been foreseen and provided by framers of Act of 1903, and was well within limits laid down by them, 23914, 24015-20.—Price given was based on rent, 24022.—But a well-secured rental was more valuable than a less well-secured rental, 24023-5.—Court of Appeal had decided that even in case of badly secured rental where arrears were long due arrears should be taken into account in fixing price, 24024, 24026.—£100 rental in Seven Dials would not sell for same sum as £100 rental in heart of the city, 24028-33.—Impossible to say whether land sold in 1903 was as good security as land sold previously, 24043.—Witness entirely disagreed with Mr. Bryce's view as to equitable price, 42231.

Witness did not consider net incomes of landlords a fair price for estates, and was not aware that landlords would accept that price, 24261.—Commissioners seemed disposed to adopt worst faults of the old Purchase Commissioners; it should be made clear to them that it was their business to facilitate sales from landlord to tenant, not to obstruct them, 24049.—Contemptuous treatment by Commissioners of Lord Lieutenant's regulations, 23912, 24090-6.—Lord Dudley was Lord Lieutenant referred to, 23960.—Witness certainly not of opinion that Commissioners should administer without remonstrance regulations which they were convinced were illegal, 24049.—Witness admitted a certain amount of Irish ornamentation about that paragraph of his evidence, 24097-8, and would withdraw part, 24109-13.

Since publication of Report, Mr. Wrench's minority views on certain points had been supported against majority of Commissioners by judgments in Court of Appeal, 23912-4.—Judge Ross upheld Mr. Wrench's views by a statement, not a judgment, 23914, 23978-9, 23988.—Statement witness referred to was statement in public Press, but it now appeared that in the Burrowes case they were not aware of exact nature of rents which were second-term rents, 24103.—Judgment of Judge Meredith in case of J. D. Crosbie's estate upset by Court of Appeal, 23979-83.—There was no difference of opinion amongst Commissioners in original reference to Judge Meredith, 23984-92.—Judgment was so important and differed so materially from original view of Commissioners and from judgment of their own judge that it vitally affected sales of estates, 23995.—Cases quoted were relevant as explaining landowners' distrust of Commissioners, 23997-9.—Witness had no faith in dealing with abstract ideas, he was contradicting evidence

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given by Estates Commissioners, 24168.—Lord Chancellor's judgment laying down that arrears would be regarded in fixing price, and Lord Justice FitzGibbon's statement that Act of 1903 recognised absolutely the entering into calculation of purchase money the consideration of arrears in general, 24114.—Witness knew of no dissatisfaction on part of landlords with advance limited to one year, 24115.—Judicial Commissioners had decided that one year's arrears were illegal, 24116.—Both sides appealed in Crosbie case, 24117.—Witness did not blame Estates Commissioners in that matter, 24120.

Grants should be made for fishery piers, boats, and equipment; for roads, bridges, and improvements in thoroughfares, and to develop turf industry, 23825.—Quarries and mines should be opened wherever there was a fair prospect of profit, 23825.

Landlords were willing to have second term rents taken as basis of purchase prices, but that was not to be construed as an admission that they regarded second term rents as fixed by Court as representing real letting value, 24145.—Prices of agricultural produce had risen in last ten or fifteen years, 24146.—That would affect any comparison of prices given for land, 24147.—Men appointed to Sub-Commission Court took great pains and did the best they could, results probably as fair as one could expect, 24148.—Witness did not agree that rents were fixed on no definite principle, 24154.—He did agree with Commissioner Baldwin's description of the process as Government letting loose eighty-four men on the rental of Ireland without instructions, 24155.—Rents so fixed had to be taken as basis of purchase price, 24156-7.—No question that second term rents were much below what competitive rent would be, 24158.—Cases of competitive rent often occurred, 24160-1.—Griffith's Valuation neither relatively nor actually a good guide to what rent should be, much misleading evidence on the subject had been given; question bore immediately on subject of fair price and adequate security, because second term rents in aggregate nearly approximated to Griffith's valuation, and if that could be shown to be well below present value of lands, it would follow that second term rents, taken as a basis for purchase, left ample margin for security, 24281.—Griffith's valuation first started by Townland Valuation Act of 1844, which gave scale of prices quoted by Devon Commission, and compared by Mr. Finucane with present-day prices, and several amending Acts culminated in 15 and 16 Vict., c. 63, 1852, setting forth much reduced scale of prices to be applied not only to all new valuations, but to all valuations in process of being made, 24271, 24281.—There had been considerable increase in all prices except wheat, 24281, 24288.—Mr. Finucane had corrected his mistake in regard to scale of prices mentioned in Valuation Act, but had not withdrawn the argument he built on it, 24333-6, 24339-40.—All figures revised under Act of 1852 to make them uniform, 24283.—Act would not apply to valuations already made, but very few were made, 24284, 24372-5, 24384.—Devon Commission Report not a reliable document for deciding present state of landlord and tenant questions, since it was compiled sixty-two years ago, 24290.

Valuation under Act of 1852 made an estimate of net annual value of land with reference to statutory scale of prices, all rates, taxes, and public charges, except tithe-rentcharge being paid by tenant, 24291, 24297.—Act of 1852 provided that improvements effected within seven years preceding valuation should not be taken into account, and two and a half millions borrowed for land improvement under Land Improvement Acts, sums borrowed under Relief of Distress Act, 1881, etc., were not included, and Griffith's valuation must, in aggregate, be much below present value, 24291, 24320. And therefore land was a better security, 24321-5.—Amount of Board of Works loans based on estimate by the Board of enhanced value of land after money was spent, 24365-6.—Loans for drainage included, 24367.—That in itself established that there was an addition to actual possible output of land, 24368-70.—Valuation would be higher than rent, because valuation was not only rent, but interest in tenant's

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improvements so far as they existed before 1845, 24388-9.—Great part of improvements since 1845 were landlords' improvements, consequently there were cases where rent exceeded valuation, 24390.—Tenants also had spent money, 24394.—So that one might counterbalance the other, 24395-6.

No ground for concluding that land originally valued as tillage land, and since turned into pasture was too highly valued because prices had not fallen since 1852, and land had become pasture land because stock was found to pay better, moreover mixed farms were valued on mixed system, and change to pasture reduced cost of labour, 24291.—Scale of wages of individuals had gone up, but machinery made fewer hands necessary, 24326-7.—Price of cereals had not fallen, as stated by Mr. Finucane, 24295, 24344.—Mr. Finucane's evidence contradicted by Sir John Barton, 24340-3.—Mr. Henderson estimated that a valuation at close of nineteenth century would add £5,000,000 to Griffith's valuation of £15,466,564, 24291.—Sir John Barton put it at £3,000,000, 24329-31.—Witness's impression was that the £3,000,000 was the land improvement increase, 24332.—Valuation did not represent a gross value including tenants' and landlords' interest, 24296, 24300.—It had nothing to do with rent, 24298-9, 24306,7, 24315, 24357-8.—And was not so uniform as to make it useful in that way, 24299, 24311, 24354-5.—But rent approximated to it more or less, 23411.—It was merely valuation of agricultural producing powers of soil, 24300, 24308-9, 24311.—It was before all the Land Acts, and when the landlord was the entire owner of the land, 24302-3.—Deduction was made for cost of labour and cost of production, 24305, 24311, 24318.—Valuation not affected by consideration whether the land was held by landlord or tenant, 24312-4, 24385.—Tenants' interest had subsequently to be taken out of valuation, 24315.—So that rent and valuation were two different things, 24317.—Witness agreed that Poor Law valuation could not be made a fair basis for settlement, 24337-9.—Valuation for taxation might be higher or lower than real valuation, provided it was relatively the same, 24397-8.—Deduction of 25 per cent. from gross value not contained in instructions to valuers, 24359, 24363.—Sir R. Griffith had said in a letter that 25 per cent added to his valuation would make a fair rent or something like that, but it was not an estimate of rent or any fair standard, 24361-2.

Effects of varying of price of produce and cost of labour on value of land, *i.e.*, assuming gross annual produce of land to be worth £100, and cost of production to be £40, there would be £60 to distribute between landlord and tenant, one-third to landlord would be £20, leaving £40 for tenant; if value of gross produce fell 20 per cent., and cost of production remained constant, landlord would get £13 6*s.* 8*d.*, and tenant £26 13*s.* 4*d.*, reducing landlord's share by 33⅓ per cent; conversely a rise in price of produce might justify a similar rise in rent, that is, a rise or fall in price of produce would justify a much larger percentage of rise or fall in rent, 24434, 24449.—If cost of production increased by 20 per cent., prices remaining constant, cost of production would be £48, net produce £52, giving £17 6*s.* 8*d.* for landlord and £34 13*s.* 4*d.* for tenant, that is, 20 per cent. increase in cost of labour would only cause decrease of 13 per cent. in rent, 24434, 24835, 24865-70.—And in general rent diminished in less proportion than cost of production increased, 24463-5, 24835, 24876.—The fact that a doubling in cost of production reduced rent to one-third of the original £20 (a reduction of 66 per cent., 24549) did not affect witness's argument that increased cost of production was not so potent a factor in reduction of rent as corresponding reduction in price of produce, 24466-88, 24545-7.—But it would be most misleading to say that whatever the increase in cost of production, diminution of rent would always be in proportion shown in illustration, 24871-91.—Witness agreed that cost of production might be treated as constant, but not that it was an academic question, 24893.—Producing power of land itself had largely increased, prices had risen, and cost of production might be treated

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as constant on the whole, so that Griffith's valuation, as a whole, was below what a re-valuation would exhibit, and consequently second term rents offered a perfectly safe basis for purchase, 24434, 24489, 24516, 24521.—"Safe" used in sense that holdings would be good security, 24509.—Witness assumed that everything was constant but prices, 24436-43.—£40 not necessarily a true figure, it might be excessive for cost of production on some farms, 24445-9.—Witness was not arguing to show that second term rents were unduly reduced, 24434, 24450.—Figures would be useful to refer back to in respect of what was occupation interest, 24451-2.—Witness did not intend to argue that landlords' interest in every farm should always be one-third, 24460.—Figures were simply an illustration, 24456.—Witness meant also to show the influence of cost of labour on general value of land, 24490-5.—Cost of production not uniform, 24496-7.—Seventy-two per cent. of holdings were less than thirty acres, and no outside labour would be employed on them, 24498-500.—Cost of labour more likely to influence value on large farms, 24501-2.—Therefore in 72 per cent. of cases value of holding was not affected by a rise in cost of labour, 24503-5.—And an increase in cost would benefit the numerous small holders who were migratory labourers, 24505.—Broadly, a rise in cost of labour meant additional security or no loss of security to the State, 24507.

By Act of 1881, which practically deprived landlords of all power over their land, it was held out as justification that the Act would make rents safe in Ireland, 24510-2.—Now that is was a question of security to the State in carrying out its policy of facilitating transfer of land from landlord to tenant, 24513-4, the State could not urge that there must be a diminution allowed in money advanced, because security was not good, 24515.

Class of holding that would give annual produce of value of £100 would be a small mixed farm, a mixed farm of twenty-five acres properly worked would give £89 12*s.*, one of thirty-five acres £100, 24522-3.—Extra labour required would cost £4 and £2 for keep, 24524.—Labourers in the family would be tenant and his son, and probably other children, 34525-6.—One horse would be kept, 24527-8.—£40 as expense of labour would not be far wrong, 24530-5, allowing 1*s.* 6*d.* a day for a man's wages, 24536, 24540.—Best way of working such a farm was for crop to be consumed on the farm, or, if sold, money to go back as food or manure, stock at end of year would be worth £97 10*s.*, and whole value of farm would be in value of stock except for flax, 24539.—Figures absolutely arbitrary, 24541.—Cost of farm servants' labour had gone up a good deal, but use of machinery probably halved number employed, 24542-4.—Cost of production depended entirely on kind of farm and nature of tillage, on farm, in the case suggested rent £11 9*s.* 8*d.*, Government valuation £10, tenant would receive, including his wages and those of his son, £80 17*s.* 4*d.*, 24551-4.—Hypothetical case carefully prepared by witness, 24555-60.—He had a locality, but not a particular farm in mind, 24661-2.—One-third of profits going to landlord would be a rack-rent, 24563.—Higher than second term rents, 24564.

Mr. Finucane's statement that rentals showed twenty years' arrears against tenants incorrect, 24290.—Witness would withdraw statement if it was a mistake, 24291.—Mr. Finucane said that 'some rentals showed these arrears, 24345.—And to put forward a thing of that kind was to cast a slur on landlords, 24349.—Landlords got criticised for their generosity, 24353.—Neither Mr. Bailey nor Mr. Finucane mentioned that when no gale-day was shown on a receipt, it was *prima facie* evidence that rent was paid up to date, 24353.—Abolition of zones, with object of subjecting all holdings to inspection and possible revision of prices agreed on between landlord and tenant, would introduce an uncertainty as to financial results of sale which would deter prudent landowners from selling, and increase existing delays in completion of sales, 24565, 24566-7, 24578.

Witness would accept amendment to effect that

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landlords now having opportunity to sell under section 1 would not be wise in selling if zones were done away with, 24586.—Relations between landlord and tenants were upset, 24568-9.—Zones brought in in 1903, 24570.

Witness did not say no prudent owner sold before 1903, but sales were falling off, and that was why Mr. Wyndham introduced zones, 24571-2, 24579-80, 24582-4.—Amount of loans applied for did not affect question. Applications came from tenants, true test was number of advances applied for, 24581.—Mr. Wyndham had said advances declined from £1,900,000 to £1,280,000 from 1899 to 1901, 24581.—Number of tenants applying had decreased from 8,000 to 3,000 in last four years, 24581.—Decrease due in part to expectation of coming legislation, 25062, 25102-3, and to depreciation of Land Stock, Mr. Wyndham, on 25th March, 1902, said that advances were made in 1899 of £1,900,000; in 1900, of £1,800,000; and in 1901, of £1,280,000; and number of tenants applying had gone down from 8,000 to 3,000, and he believed the landlords who were prepared to sell under existing law were coming to an end, 25062.—He meant that figures given included sales that had matured in that year, 25063.—Fall in Land Stock certainly affected landlords and caused gap which Mr. Wyndham aimed at, bridging by bonus—at one time price of stock was as high as £113 for £100, 25078.—For five years it was over £110, 25084.—But bonus thus obtained was more than balanced by reduction due to difference between first and second term rents, 25087-8.—Another cause for decrease was that a number of insolvent landlords were squeezed out, 25089-101.—There were still embarrassed landlords in Ireland, 25104.—Landlords who had sold either had other interests and sources of income or they were tempted by premium on Land Stock during 1897-99, or they had been forced to sell because they were embarrassed; and supply of these three classes giving out, 24581.—When Act of 1903 was introduced it was common knowledge that market for estates in Ireland was exhausted, 24166.—Although amounts advanced were pretty uniform, averaging £1,500,000 a year—for five years preceding 1903—applications had practically ceased, 24214-9.—And in any case it would be a great advantage to facilitate and increase purchase, 24220.

Mr. Finucane thought a full and generous price for tenanted land compulsorily sold would be a sum which, including bonus, would yield normal net income actually obtained during preceding five or ten years, 24564.—Net income here had quite a different meaning from net income in Report of Commissioners, where it was said to mean gross second term rental, less cost of collection and management and bad debts, 24564, 24587.—Passage occurred on page 7 of Report, 24588-90.—Land Conference recommended gross rental, less 10 per cent. if incurred for cost of collection, etc., 24591-4.—Act had not carried out those terms, 24595.—Certain circumstances, such as boycotting or intimidation, might have made lands valueless to owner, and if price was reckoned on income actually obtained, he would get nothing in respect of such lands, 24596-7.—There were lands lying derelict owing to political feeling, 24598-9—in Leitrim and Clare, 24501-2.—Witness could not name estates without asking his informants, 24604.—By derelict lands witness meant to say land let on eleven months' agreement which tenant refused to take on a second year, so that rent would either not appear at all or would appear at much lower figure, 24815-8, 24828-30.—Better to say "unoccupied" or "untenanted" not "derelict" farms, 24831-4.—Derelict farms did exist, but not to any large extent, 24833.—Modification by Mr. Finucane of his original definition still left it absolutely optional to whatever authority was appointed to say how much should be given taking second term gross rent as net income where it was regulated by column in rental, 24824.—Mr. Finucane would deduct costs of going into court, 24564.—Which was unreasonable, 24605.—If income was to be basis of calculation, witness stood for Land Conference view, 24606, 24608-9.

No reason or justice in estimating selling value of land at price that would simply secure present income.

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Since owner was still in full possession of fee, and proprietor of timber, quarries, gravel, pits, turf-bog, marls, clays, all minerals, royalties of every kind, and sporting rights, 24564.—Owner had also right to his prospective share in increased value of land, due to extension and rise of towns, new means of communication, etc., and general advance of civilisation, 24564.—Railways had very developing effect in a backward country, 24612.—Witness was not going to estimate value of prospective advance in civilisation; his argument was that in accepting net income landowners sacrificed this among other things, 24613-24, 24627.—It was more difficult to estimate than effect of introduction of Canadian cattle, 24625-6.—There was also sentimental considerations, 24564, 24628-30—which were recognised by the Land Conference, 24564, 24631.—Mr. Wyndham had met that by arranging bonus and zone system, but it would be counter-balanced if zone system were done away with, 24631-2.—An estate *en bloc* might evidently be better security for aggregate amount of purchase money than some of the several holdings severally considered in relation to portion of purchase money allocated on each holding, decrease in security in no way attributable to owner, who ought not to be mulcted on that account, 24564, 24641.—Some of the poor holdings might not be good security, 24633-9.—Uneconomic holdings not as good security as good land, 24640.

Interest on mortgages on Irish land not less than five per cent., 24644.—Amount of mortgage advance on ordinary estate probably less than half its value, 24646.—If tenant were really part owner and landlord simply a rent-charger, landlord should be entitled to rent in full, whatever the fluctuations in profits, 24564.

Under Bright clauses of Act of 1870, Treasury, at suggestion of Irish Board of Works, fixed twenty-four years' purchase of tenement valuation as standard price of land, and sanctioned advance of two-thirds of loan to tenant; price increased to twenty-seven years' purchase in 1871, to thirty years' purchase in 1872; thirty years' purchase only a basis of calculation of Treasury advance—no limit to price to be given, and that did not come up to full value of holding in many cases, 24565, 24647-50, 24667-71.—Transactions took place in 1871 or 1872, which were prosperous years, 24651-4.—Since then rent had gone down forty per cent., 24655-7, 24686-90.—Reduction of twenty per cent. on second term rents and twenty per cent. on first term rent worked out at thirty-six per cent. on the two, not forty, 24850.—Tenants were paying five per cent. interest instead of 3½ as at present, 24850—which gave a reduction of thirty-five per cent., and left security within one per cent. of what it was before, 24851-9.—Landlords would be content with thirty years' purchase of Griffith's valuation, 24659-62, 24677-8, 24850.—Valuation had not altered, 24663.—Tenanted land sold at much higher figure in 1871 than now, 24672.—Price might have gone to forty or fifty years; two-thirds of a sum not exceeding thirty years' purchase, was only limit put by Treasury to advance, 24673-6, 24679-85, 24693.—Treasury estimate not a safe guide to fair price on value of holding. Commissioners were looking at the matter from point of view of security for the State witness from that of fair price for landlord, 24690-3.—Numbers of tenants bought at thirty years' purchase, 24694, 24860.—So far witness had been referring to price of untenanted land, 24695.—Witness did not agree that eighteen years' purchase of valuation to-day would be equivalent of thirty years' purchase of poor law valuation thirty-five years ago when rents were thirty-six per cent. higher, 24864.—Fact that Bright purchasers had sought relief did not prove that they had bought too high; when it came to looking for better terms very few people would admit that they could meet any instalments, 25048-52.

With regard to fair price for tenanted land, price was arrived at by mutual agreement between landlord and tenant, 24697.—And if price fell within the zones there was supposed to be sufficient security for advance, 24698.—If compulsory system were adopted, Land Conference terms would be the equitable price—practically second term rents secured, 24701.—Landowners would object to fixing of prices by a new tribunal, such tribunal sure to be affected by extraneous influence, 24702-4.—Certain fixed number

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of years' purchase would be better if a practical arrangement could be made, 24705, 24707.

Witness did not approve of Mr. Bailey's proposal to classify estates and give landlord's rate of interest according as estate was good or bad security, 24705-6.—Some rough-and-ready method had to be adopted; best would be to take second term rent as fair rent, and capitalise that, so as to yield that second term income to landlord, 24708-9, 24948, 24713-4.—Landlords would be satisfied, 24802, 25065-8, 25117.—But they would not be getting full value of their properties, 25065.—Price to be paid would include bonus, 24805, 24811.—It would not work to fix so many years' purchase on an arbitrary scale, 24710-2.—If money were invested at 3½ per cent. that ought to be satisfactory, 24715-6.—Personally witness would ask for Land Conference terms, 3 or 3¼ per cent., but Landlords' Convention declared themselves content with 3½ per cent., 25032-3.—Good deal of land sold was tied up in marriage settlements, 25035.—In case of land not settled it would still be necessary to fix 3½ per cent. limit if security was to be equally good, 25037, 25040.—Witness would like to know where he could get 4½ per cent. on United Kingdom Railway Stock, 25038, 25040.—Witness would hardly consider four per cent. safe; Representative Body of Church of Ireland, with three millions on mortgage on Irish Land, which bore fairly high interest, could barely touch four per cent., taking all their investments together, 25043, 25047, 25105-10.—They always took trustee securities, 25044.—Nearly all the mortgages were in Ireland, 25108.—They looked forward to losing £30,000 a year when mortgages were paid off, 25110.—Compulsory purchase by reducing power of mortgaging land would reduce landlords' prospects of averaging interest at four per cent., or near it, 25111.—That would include bonus, 24717.—Not compulsion, but voluntary sale dealt with in his statement, 24954, 25116.—Income taken to be represented by second term rents or their equivalent, 24718, 25151-4.—Deductions for net income should be whatever had been expended up to a limit of ten per cent., 24719, 24722, 24957.—That was Land Conference's recommendation, 24722-3, 25148.—Land Conference based their advice on second term rents, 25155.—Their terms were not carried out, 25156.

Landlords would be satisfied if on completion of sale they received such a capital sum in cash as would, when invested in a 3½ per cent. security, give them an income equal to their net income derived from second term rents, this should be over and above all costs incidental to sale, 24955, 24998, 25014.—That was sum mentioned plus bonus, or, if these costs were borne, without bonus, 24956.—All loss of income during progress of sale should also be covered, and where there were solvent arrears, equitable addition should be made to purchase money to compensate for their cancellation, 24957.—Extraneous sources of revenue, such as sporting rights, timber, etc., would not be covered, 24958, 25000.—Sporting rights would not be put on same security as second term rents, 25001-2.—There must be some sort of tribunal to investigate and decide on such matters as sporting rights, 25123-8.—Witness made no claim for equity of redemption, 24999.

Costs of sale would be about 10 per cent., 25006.—Lawyer's cost 2 per cent., negotiating fees with agents and settling with employés on estate 3 per cent., surveyor 1 per cent., loss during progress of sale and interest on bonus 4 per cent., 25008-12.—4 per cent. for loss during progress of sale would be an entirely under estimate if cash was not forthcoming for five years, 25013.—Cost of investment not included in expenses of sale, owner might pay that himself, 25074-5.—Landlord only got interest on a portion of purchase money, and he had to drop rent from last gale day to date of signing agreement, 25014.

By gross second term rents witness meant second term rents as fixed by Sub-Commission Court, 25017-8.—Price should be calculated on gross rental, not on gross rents received, 25021-2.—Allowances could be made for special cases, 25023.—If these existed to any large extent estates where, owing to poverty of tenants, bad seasons, etc., owners as a permanent thing got gross second term rents minus 15 per cent. or so, those would have to be treated as exceptional cases, 25023A-7, 25073, 25029-30.—Such landlords would not be unreasonable, 25028.—Bad

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debts not included in 10 per cent. allowed for collection, etc., landlords were not asking anything for bad debts, 25069-71.

Circumstances detailed in return by Monsignor M'Gynn dealing with certain property in Townawilly, in Donegal, were absolutely exceptional, 25072.

In speaking of net income as basis for sale, witness was referring exclusively to tenanted land, 25112-5.—Income would be ascertained from rent-book, 24720-1.—Many landlords spent money on their property, not for their own gratification or profit, witness wished to guard against saying anything to injure class who could not stand reduction of 10 per cent., 24724-7.—Law costs incurred in connection with political agitations should be withdrawn, 24727-30.—10 per cent. should cover everything, 24731-2.

Some method of valuing sporting rights could be found, 24734-8.—Or landlord could retain them, but it was more satisfactory to sell, 24739.—Quarries, etc., would be treated in same way as agricultural property, valuable bog where tenants were secured on buying out would have to be subject to special agreement, 24740-2.—Where there were other things than agricultural rental to be considered, there would have to be some arrangement by which landlord could appear before somebody, 24743, 25123-8.

Difficulty in dealing with mortgaged estates; number of years' purchase required to provide fair price in case of unmortgaged estates.—Witness would not deduct interest on mortgage to get net income, because when an estate was sold all mortgages and charges were lifted off the land and attached to money for which it was sold, authorities would pay off all charges and hand over remainder to owner, 24751-9, 24893-903.—If interest on mortgage was deducted from income, owner was mulcted twice, 24762, 24904.—Property rose to its full value once it changed owners, 24763, 24783.—No reason why one set of tenants should buy the same thing cheaper than another set, 24906, 24921-2.—Tenants would get thirty-three instead of twenty-five per cent. reduction, 24772A-8.—Tenant would not have to pay a larger sum where there was a mortgage, 24786.—Tenant did not pay interest on bonus, 24776, 24789-90. Matter in question was price of property, income considered only in order to fix price, 24792-5.—Landlord, who saw new estate selling better because it was mortgaged, would have no legitimate complaint against tenants, 25003-4.—Two items to be considered on introduction of compulsion, land was taken and price was fixed, 24798.—Views expressed by witness on compulsion were his own merely, he was not authorised to put forward views on behalf of Landowners' Convention, 24807-9.—Objection that encumbered landlord would get £100 more income than he had been enjoying if interest on mortgage was not deducted, was set off by existence of equity of redemption in every mortgage, owner had a right at any time to clear his estate, 24907-8, 24910-5.—System advocated by witness amounted to asking State to advance money for general capitalisation of value of estate at 3½ per cent., giving power at same time to recapitalise the amount on mortgage at 5 per cent, 24909.—Practically adoption of same procedure followed between landlord and tenant under zones system, 24919.—Witness did not see why compulsory powers should be used to inflict an injury on owner to which he would not be liable under voluntary sale, 24931.—Deduction from gross income of interest on charges before basis for calculating price was arrived at would be unsound in principle and unjust in practice, 25157.—Advantageous to sell to tenant as cheaply as possible, provided full justice were done to landlord, 24923.—Property apart altogether from charge upon it represented a certain sum, and full justice would not be done unless it were sold for that sum, 24924-7.—Although encumbered, landlord got £100 a year more than before sale, 24928-30.—Witness was not prepared to equalise matters by giving more bonus to unencumbered estate and less to encumbered one, 24936-7.—It would mean modifying principle on which bonus was fixed, 24937.—Which was to bridge a gap assumed to exist on all classes of estates, 24938.—When it came to compulsion, tampering with bonus was rather a serious matter, 24939.—It would be a very nice arrangement for tenants, but bonus was given to assist landlords,

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24942-5, 25013.—Zone purchases carried bonus, 24946-7.

Uneconomic holdings if not agricultural were residences, and as such excluded from the Act, so they were treated as agricultural, 25157.—Such holdings had their value as homes in the country, 25157, 25167.—Many uneconomic holdings in process of establishment in labourers' cottages where amenities were not so great, 25157-9.—Uneconomic holdings excellent security in many cases for State advances, 25164, 25171-2.—Case where tenancies sold for £2,194, estate for £1,901, 25164-5A.—Rent could not be got out of land itself, 25166.—Table of sales in Donegal of holdings rented at from £5 12s. downwards showed prices from 23 to 66⅔ years' purchase on an estate that was striped, such sales meant stereotyping paupers, 25168.—No room for large improvements, 25168A.—Prices quite unaccountable; men regarded land as easiest way of making a living, and would sooner put their money in that than anything else, 25170.—Landlord's interest was measured by rent, 25176, 25182-3.—If landlord's interest were one-sixth and sold at 12 years' purchase, tenant's interest would not always sell for a greater sum because landlord's interest was in fee of holding as well as in rent, 25177-8.—Tenant not farming properly cut down rent by failing to develop producing powers of the land, 25179-81.—Fee included anything beyond actual rent and all undeveloped powers of the soil, 25184-8.—In regard to untenanted land, tenant right was a real and valuable asset, Ulster right differed somewhat from analogous customs elsewhere in Ireland, but generally speaking, since Act of 1870, Ulster tenant right and any analogous customs had been legalised, and Act of 1881 gave every tenant the right to sell his occupation interest to the highest bidder, 25188.—Existence of occupation interest proved by fact that owner of farm which tenant had surrendered or from which he had been bought out paid income tax both as owner and occupier, moreover witness had himself sold occupation interest of two farms for £255, 25209-10.—Occupation interest more valuable in case of small holdings because there was more demand for them, but in all cases where interest as well as fee was in owner's hands value of holding was considerably increased, 25188.—Measuring tenant right by number of years' purchase of rent was usual but utterly absurd and unfair to owners, 25188.

Mr. Finucane said that whatever the presumption of the law, the tenant had in fact to prove that improvements were his, but in witness's own case as tenant under Lord Southwell of some fields near Letterkenny, Sub-Commission fixing judicial rent made reduction of more than 50 per cent., 25188-9.—Improvements set out in schedule put in by witness and deduction of £2 2s. from gross rent for witness's improvements, 25285, 25292.—Though he swore in Court he had made none, 25293-4, 25298-301.—In Ulster tenant right cases all presumption of improvements was on tenant's side, 25286, 25295.—In other cases there were certain exceptions, improvements made prior to 1850 had to be proved by tenant, also those made on estates kept up on English system; tenant got no credit for improvements for which he had been compensated, 25295.

Estates Commissioners method of valuing grass lands is to fix a fair rent and then deduct 15 per cent. as security, taking remainder as basis of purchase price, 25188, 25190.—Unfair and unreliable method, 25191-2, 25194-5, 25204A, 25207.—At present landlord was not compelled to accept the offer, 25192A.—But system tended to make sales less frequent than they would otherwise be, 25193.—More than ever important now to start on fair principles, for compulsion was in the wind, 25206.—An element of compulsion came in where estates consisted of both tenanted and untenanted land and Estates Commissioners refused to consider property an estate unless untenanted land was sold with it, 25196-202.—Witness was under impression that same thing was done outside congested estates, 25203.—Commissioners had refused to declare a property belonging to the late O'Conor Don an estate unless he sold with it 400 acres of grazing land in another district, 25204.—There was also compulsion by tenants who had settled their bargain with the landlord and were pressing

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him to complete sale, 25208.—Witness would prefer downright compulsion if fixing value was an automatic thing agreed on beforehand, 25216.—He would not like to see Estates Commissioners as at present constituted given distinct powers of compulsion, 25217-9, 25225, 25238.—He would prefer compulsion with a sound tribunal, an independent judge of the High Court, 25220-6.—There should be an appeal to some outside body not part of the Land Commission, 25226-7.—It would be possible to set up a tribunal which would command landlords' confidence if it could be kept off political lines, 25228-25230.—If Court was to be constructed for the purpose there would be great temptation to run it on political lines, 25231.—Bench of three judges of existing High Court would do, 25232-3, 25283.—Landlords would be satisfied with such a Court, 25234.—Price would be fixed in first instance by a lower tribunal, 25237.—Which should be free from political influences and employ competent valuers, 25239, 25244.—Landowners would not be satisfied with Estates Commissioners as Court of First Instance, 25245-7.—Commissioners would themselves be parties to the suit, 25251-7.—Land Commission needed more rules to guide them, but they did the best they could, 25248, 25259, 25261.—Landowners might object to them as a Court of First Instance because they had been cutting rents very low, 25249.—Land Commission might be a satisfactory tribunal, but not if Lay Assistant Commissioners were valuers, 25258-60.—Witness really had in his mind an arrangement which did not exist, 25262-3.—Very important that Court of First Instance should command confidence in order to render appeals infrequent, 25264-6.—Personally, witness thought Judge Fitzgerald's Court would be a fair tribunal, the best that could be had, 25267-9, 25282.—As at present constituted, 25271-2.—Whoever was fixed on ought to be in a judicial position, 25270.—Great stress should be laid on qualifications and standing of valuer employed, 25272.—In speaking of compulsion, witness spoke for himself only, he had no brief from landlords, 25244.—Land for relief of congestion could be acquired without compulsion if a fair price were offered, 25277.—Landowners would not object to compulsion if men would not sell on fair terms within a reasonable time, 25278-9.—Cases not agreed on would go before a tribunal of first or second instance, 25281.

Income tax assessment was a guide as to value of untenanted land, Schedule A represented ownership and full tax was assessed under it on valuation of all lands of which payer was owner; Schedule B represented occupation, and one-third of tax was assessed under it on all lands occupied by owner, it followed that Inland Revenue Authorities added one-third of Government valuation for occupation interest; income tax assessment should be taken as representing net income from untenanted land, but vendor should have option of proving that his net income should be taken at a higher figure, 25303-25343.—Government adopted it as basis of taxation, therefore it should not object to it as basis of price, 25306.—Witness was referring only to untenanted land, 25309-15.—Income tax basis suggested by Landowners' Convention, 25344-5.—On this basis untenanted property of £100 poor law value capitalised at 3½ per cent should sell for £3,400, grazing ranches were good land; witness had no doubt Estates Commissioners could recover the £3,400, 25351-4.—All considerations weighing with Estates Commissioners operated to beat down price for owner except the abstract one of justice between man and man, abstract view very likely to be discounted; practically impossible for anyone to be fair under the circumstances, 25634.—Nothing unreasonable in deducting certain percentage for cost of collection, etc., 25316.—10 per cent. would be upper limit, 25317-8.—Valuation taken as basis because it approximated to second term rents, 25322.—Sale of tenanted land would be calculated on basis of second term rents, 25325.—Difficulty in way of ascertaining second term rents in case of untenanted land and adding one-third was that the provisions for fixing second term rents in land code applied only to tenanted land, 25323.—Standard of second term rents on similar land in same county might approximate, but it would be difficult to arrive at, 25324, 25327-30.—Average based on second term rents throughout the country would not be very fair to owners deriving much of their income from grass lands, 25331-2.—In practice rents were not unstable, 25333.

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Cattle dealers not much in fear of Free Trade in cattle, &c., 25333-7.—Witness thought large holders would suffer most from competition of Canadian and Argentine cattle, 25340.—There was a limit in breaking up of grass lands beyond which it would be dangerous to go in interests of country at large, 25340-2.—In criticising methods of Agricultural Department witness did not wish to undervalue their work, but he considered Congested Districts Board certainly more suited to congested districts, 25355.—Plenty of land would be offered for sale if fair price were offered, delays and losses removed, and if landlords' confidence in tribunal were restored, 25355-6.—Witness not at all sure that Estates Commissioners enjoyed confidence of tenants, 25357, 25361.—Landlords certainly had no confidence in Commissioners, 25363.—Landowners' Convention entirely disagreed with Mr. Bailey's views, 25380.—As between Congested Districts Board and Commissioners tenants invariably preferred whichever gave lower prices, 25358-60.—Professor Campbell's evidence about grazing lands not really in opposition to witness's evidence, 25366.—He began by omitting Meath lands and all similar grazing lands, but said they could be cultivated, of course, but at a loss for four or five years, 25365-8.—Strong land much better as grass land than under tillage, 25369.—Great and avoidable delay in clearing titles, 25370.—Congested Districts Board should be afforded means of clearing equities, 25378-9.—There was no registration of title before 1891, 25370-1.—Present purchasers should be made to register, 25373.—Two remedies might be applied to expedite registration, provision of indemnity fund, 5s. in £100 would be enough, and owners would be glad to pay it to save delay and cost, 25374.—Very desirable that migrants should be retained a little time in hands, otherwise they would simply get a living out of the land in easiest way possible, 25374.—Pelham-Clinton estate was a case similar to Townawilly estate, neither should be taken as normal, 25380.

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Valuation on basis of net annual value arrived at on basis of what a tenement would let for in open market, tenant paying taxes and doing repairs, landlord doing all improvements 22509-10.—Valuation same for tenanted and untenanted land, valuers examined soil and sub-soil and calculated on that, tenement valuation taking into account all interests in land, 22515.

Griffith's valuation ten or fifteen per cent higher in North than in South; valuation begun in South and finished in North; great depression at period of commencement; great prosperity when it was finished, 22513-4, 22524, 22527, 22531.

Prices of agricultural produce were higher than prices of cattle, therefore tenanted cultivated land was valued more highly than pasture, 22516-7.—Oats had increased from 4*s.* 10*d.* to 5*s* 4*d.* and 5*s.* 11*d.*, 22518.—Standard prices laid down in Act were unchanged throughout period during which valuation was being made, 22522, 22525.

Valuations in each county were comparative, which was important, because each county was a rating area, 22529.—Poor law valuation could be compared with judicial rents up to about 1890, 22530.—No information in regard to second term rents, 22531.—Though comparison could be made, 22531-2.—In Roscommon valuation was six per cent higher than first term rents, 22532.—In Mayo and Galway, ten per cent. lower, 22533-4.—In Donegal two per cent. higher, 22535.—In Kerry thirty-two per cent. lower, lowest in Ireland, 22536.—In Leitrim eleven per cent. higher, 22537.—Chief reason for differences was that valuation got higher as valuers worked north, 22538.—Comparison really confined to parts of counties on which rents had been fixed, 22540.

Valuation included buildings, 22539.—Act laid down standard of valuation as same practically as for England, 22544.—Valuation assumed to be fair level value of holding, taking everything on holding as it was, 22545-7.—It combined landowners' and tenants' interests, 22548.

Revaluation would increase existing figure, 22549, 22550.—At time of valuation prices were low, and valuation of all other property was about twenty per cent higher, 22549.—Buildings valued every year, towns going up very much, 22551.—Twenty per cent deducted from valuation of houses, so that they should be on equal terms with land, 22552-3.

Valuation included improvements, 22554-5.—If valuation were now found to be higher, increase would be largely due to improvements, 22556.—Increased taxation and price of production would have to be taken into account, 22557-8.

Valuation had some bearing on payment of income tax, 22560, 22668.—But in Ireland income tax could be paid on rent or valuation, whichever was lowest, and also under Finance Act of 1896; every payer of income tax could deduct one sixth for value of house and one-eighth on land for his improvements, 22560.—Owner in North would pay a higher tax, because he paid on his rent, whereas in the South owner paid on valuation, 22561-2.

Revaluation would be much higher than rent, because valuation included rent and interest on tenant's improvements, 22563.—Griffith made no reduction, 22564-74.—But valuation was considerably under the value, 22565-8.—Largely owing to deductions made by Commissioners, 22569, 22575.—Much more so in South than in North, 22571.—Some scale of prices necessary for valuation, 22577.—Witness had never seen statement by Griffith that valuation was twenty-five per cent. below letting value, 22579-80, 22582.

Griffith arrived at valuation by dividing each county or rural district into quality lots—every lot being valued; then a line, about two miles wide, was drawn across county; head valuers went over that area, and their valuation was compared with that made by first two valuers; if there was more than 1*s.* an acre difference it was all valued over again, 22585.—Witness thought he could get a few specimen lots of farms in pasture with valuation arrived at then and get a valuation made now, 22586-92.—Books did not show how much was in pasture and how much in tillage, 22593.—Mountain land was a quality lot and would show separately, 22594-6.—Any particular lot could be re-valued, 22597.

Witness did not apprehend that if revaluation were made every fifteen years he would find differences of twenty per cent., 22606-7.—Therefore there was no question of comparison between valuation and rents fixed by the Court, 22608-14.—Tenant's improvements increased value of tenant's interest, and, to a certain extent, landlord's also, 22617-8.—Rent should be a proportion of valuation, but it would not be a uniform proportion, 22622.—Rent of holding which had been much improved since Griffith's day would have to be based on conditions quite different from those of sixty years ago, 22623-4.

Valuation of land did not alter except where it was taken for building and ceased to have any agricultural value; result was that agricultural valuation had gone down about £30,000 all over Ireland, 22626-7.—Reduction due also to erosion from the sea and railways 22628.—No land had come in to be valued as agricultural land, 22629.—Land valuation in 1870 about £9,000,000; all other property, £3,500,000; land about the same now; all other property had gone up to £5,780,000, 22631.—All other property included, railways, canals, waterworks, etc., 22632.—And farm buildings on holdings, 22633-3A.—Railways accounted for very small part of increase; valuation in Belfast had increased from £426,000 to £1,478,000, 22646-51.—Farm buildings were valued on cost of building, and if, as often happened, house was much too large for farmer, very large reduction was made, 22636.—House turned into hotel would be valued as hotel, 22637.—Registrar-General had houses classified in census returns, 22641-2.

In regard to revaluation, it was more a question of policy whether it was desirable to have revaluation going on at same time as sales of land, 22653.—Introduction of another body of Government valuers would lead to a good deal of confusion, 22663-4.—Witness had stated before Valuation Committee that revaluation was desirable but impracticable in view of Land Purchase Act, 22667.—No great demand for revaluation, 22654-6.—People comparatively satisfied to pay rates on Griffith's valuation, 22657.—Revaluation would not affect question of fair rents at all, fact of valuation being high or low quite unimportant as far as local rates were concerned, 22658-60.

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Revaluation on principle of Griffith's valuation would represent fair rating value, and would be on same principle as existed for fair rating value in England, 22670-4.

Prices given by tenants to each other for occupation interest of untenanted property would be a factor in arriving at fair rating value, 22675-6, 22678-81.—In conjunction with other circumstances, 22682-3.—Very large prices given in certain localities due to peculiar circumstances; such cases should be eliminated, 22677.

Griffith's valuation made on same system in Ulster as elsewhere, 22684, 22691.—Ulster tenant-right not taken into consideration as an addition, 22686.

If judicial rent were taken in making revaluation, interest on tenant-right would have to be added, and result checked with valuations made by examining the soil, 22687.—If revaluation were made on basis of Griffith's valuation, fair rent fixed by Court would be ignored, 22689.—Parliament would fix by distinct instructions the basis on which a general valuation would be conducted, 22690.

Increase in gross value of agricultural land, due partially to increase in agricultural prices—wheat the only item in which there had been a decrease, and that was so small as to be negligible; oats, in 1852, were 4*s.* 10*d.*, average now 5*s.* 10*d.*, 22694-5.—Barley, 5*s.* 6*d.*, now 7*s.* 1½*d.*; flax, 49*s.*, now 55*s.*; butter, 65*s.* 4*d.*, average now 96*s.*; beef, 35*s.* 6*d.*, now 53*s.* 3*d.*; mutton, 41*s.*, now 65*s.* 2*d.*; pork, 32*s.*, now 49*s.* 5½*d.*; in addition, a great deal of land had been improved by reclamation, and facilities for farming had greatly increased with improvement in agricultural implements and improvement in transit, 22697.—Yet acreage of tillage had decreased, 22699-700. Output of flax had decreased, 22702.—Difference in colour due to property of water in which flax was steeped, 22703-5.—Price of flax much higher a few years ago than now, 22708-10.—Crop now grown altogether in North of Ireland, 22707.

Grazing land would seem to be more valuable now than at time of Griffith's valuation, 22711-2.—But it was guess-work, 22737.—They did not get much advantage from better machinery and implements, but they got the advantage of less labour expenses, 22713-4.—A certain number of grazing farms could be traced with their valuation, 22715-6, 22733.—Books would sometimes give number of head of sheep and cattle the lands would carry, 22719.—Then present valuation could be obtained by applying rise in prices, 22722.

Average increase in prices was forty-five per cent.; that did not indicate a corresponding amount of increase in valuation, 22724.—Prices had to be checked with many other, important considerations, 22725-7.—Increased price of living an element in all these calculations, 22728.—In regard to all labour on the farm increased price of living was included in increased price of labour, but farmer's own establishment was run on a higher scale, 22729-32.

Land, the main source of livelihood for people in the West, valuation and population, the best statistics available for fixing congested areas, 22738.—Areas at present scheduled much too confined, smallest area should be a rural district, 22738.—Which was practically a union, 22739-40.—And included several electoral divisions, 22741-2.—Congested Districts Board required to satisfy all people in congested area before going outside it, though people alongside required help just as much, 22743.—Larger area would get over this difficulty, 22744, 22757.

Witness suggested the taking in whole of Donegal less the two rich rural districts of Strabane, whole of Sligo, Leitrim, Mayo, and Galway, less four rural districts, whole of Roscommon, less three rural districts, whole of Kerry, and two rural districts in Cork, 22745.—Thus enlarging area considerably, 22746.—His desire was first to take in all districts at present dealt with as congested, 22746.—Then to take rural districts in which areas at present dealt with were situated so as to leave nothing else; where a rural district alongside had an average valuation of over £3 per head he struck it out, 22747-50.—Clare not included at all, 22751.—Antrim could not be considered congested as a county, though there might be islands of congestion, 22753.—It had only one rural district with average valuation less than £3, 22754.—Tyrone had three rural districts over £2 12*s.*—Cavan one under £2.

Valuation in poor districts of Connemara and Donegal where land had practically no agricultural value based on letting value, 22758-9.—In which price of produce was an element, 22760-1.—Rent had nothing to do with valuation, 22762.—Letting value arrived at by examination of soil, etc., and seeing what crops or cattle land would bear, 22765-7.—There might be great difference between rent and valuation where land had been reclaimed, 22768-70.

Return of untenanted land included land suitable for division into farms, but was really all land on which there was only one occupier and no immediate lessor, 22770.—All demesnes classed as untenanted land, 22770-4.—To ascertain extent of grass lands as distinct from other untenanted land investigation would have to be made on the spot, 22775-9, 22786-8.

Registrar-General prepared a return each year of amount of grass in each county and might be able to give desired information, 22780.—Holdings of tenant purchasers under Land Act not included in return, 22789.—Land let on eleven months' system would be classed as untenanted, 22790.—It was possible to get a rough estimate of untenanted land that was not pasture by deducting amount of pasture land shown in Registrar-General's return from amount of untenanted land, 22791-3.

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Witness's evidence based on information gathered from men who had studied question many years, 26381, 26585.—Witness suggested creation of Congested Districts Board to Mr. Goschen in 1886, within twelve months suggestions utilised, 26381.

Compulsion should be exercised on landlord and tenant, 26383.—Work should be done in small areas, districts differed enormously, 26383, 26710.—Some districts not suitable for planting, others had abundant water supply and large population with very little work for winter months, large areas capable of afforestation should be used by people in off-labour season, planting, ditching, etc., done in spring, local industries increased near large forests, as in Sweden and Germany, 26383.—Question of employment which 1,000 acres of forest land would afford, 26419-21.

Wood industries, such as wood-carving, brush making, etc., provided clean, healthy, local work; for toy-making alone, Great Britain paid annually £1,000,000; peasants living in forests, as a rule, superior in physique and character to those of the plains; in Wurtemburg, less than quarter the size of Ireland, profits from forests amounted to £1,200,000 annually, or 14*s.* per acre clear profit on land of low agricultural value; in Germany £40,000,000 paid annually in wages to workers in manufactures directly dependent on forest produce, 26388.—Years ago Ireland had very good timber, 26383.—Pinus sylvestris and scrub oak, 26384.

There should be regular system of planting, State afforestation carried out with success by every European country except Great Britain, 26385.—Scotch fir would be useful tree; experiments with American conifers too expensive for general system of forestry; till a tree got cheap it would not do to plant it, larch, pinus sylvestris, and Douglas had got fairly cheap; no reason why American woods should not flourish in Ireland, 26397-402.—German system of planting closer than three feet, thinned out every ten years, practically no sale for timber of this age, 26486-92.

Irish Forestry Society suggested that when Commission visited congested districts they should take two experts who could point out possibilities of afforestation, 26385.—Witness placed before Commission draft scheme for re afforestation in Ireland by Irish Forestry Society, 26386-88.—Owing to operations of Land Purchase Act, 1903, it was necessary for national afforestation to secure waste lands for planting, opportunities for doing so now were unique, difficulties in future would be insurmountable, Departmental Committee Report of 1902 stated that world was approaching shortage if not actual dearth of coniferous timber, which constituted 80 or 90 per cent. of total British timber

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imports, area of waste lands which might be afforested became national concern; too large a scheme for individual effort, timber could be grown in Great Britain equal to that imported from the Baltic, 26386.—Conditions in United Kingdom, especially in Ireland, more favourable to growth of profitable timber than in Continental forests; plantations treated according to Continental system yielded timber not to be excelled in any European country, 26388.—Timber grown in Cork, sent to Glasgow Exhibition, gained gold medal, competing against Scotch timbers, 26387-8, 26451.—Scotch pine and spruce, common trees in England, yielded "red and white wood," highly esteemed for agricultural purposes, preference for foreign timber not due to unsuitability of soil or climate, but to neglect of sylvicultural principles, 26387.—Great Britain and Ireland imported more timber than all rest of Europe, £27,000,000 paid annually to other countries for timber and wooden goods which could be produced in Ireland, 26388.—Establishment of forestry bureau in America, 26388.

Benefits derived from carefully administered forests, regulation of natural drainage, profitable relief works, cheap timber for building and farm purposes, increased scenic attractiveness leading to influx of tourists and establishment of health resorts, 26388.—Present crisis in history of Irish land tenure had most important bearing on forestry, transfer of land from former owners to occupiers unprecedented, and held the widest possibilities for development or decadence of forestry, 26388.—Witness was speaking of congested lands, but there were other areas in Ireland where timber growing would go on well, 26389.—Mr. Morley spoke of flourishing state of Forestry Department in India, "thousands were employed, and over a million cleared after all expenses," 26389.—Waste land in France utilised by State for afforestation, large shepherd proprietors in the lands had disappeared, 26390, 26393-4.—Good many farms in Ardennes Forest, but forestry was more remunerative than pasture, and farms were going out under communal system, 26391-2.—Brandenburg district had been worked under old feudal conditions, feudal rights taken away, and then State used land for afforestation, 26396.—Best Scotch plantation that of Mr. Munro Ferguson at Rail, 26493.

Commission of Woods and Forests had a fund of £20,000 from Crown and Quit Rents in Ireland, which could be used for experimental scheme, 26403.—Returns furnished as to (*a*) lands available for planting, (*b*) how planting was progressing, (*c*) existing plantations, (*d*) prices obtained by people who had cut down timber, 26405.—40,000 to 50,000 acres available, with no grazing or subsidiary rights to hamper title, 26407-8.—Congested Districts Board owned large areas which they would be willing to have planted under suitable arrangements, 26411.—Kilkenny instances of value of land 7*s.* an acre before, and 10*s.* after planting, 26411-3.—Difference shown by bad and good management of neighbouring properties; in one case land value nil, and value of trees per acre, £2 17*s.* 7*d.*; in the other, where German system was adopted, value came out at £100 per acre, 26413-4.

Type of land cultivated in both cases was limestone rock, covered with soil and heather, on low ridged hill, 26415-8.—Great deal of timber grown on granite as well as on limestone in western congested districts, but granite, unless it had fair amount of soil, would not grow as good timber as limestone, 26432-4.—Timber grew best on high heathery ground, with sharp drainage, not on wet, boggy ground, 26426, 26435.—Finaun grass land could be used if well drained; this would add to expense of planting, plenty of land available without touching grass mountains, 26436-46.—Wind not a very serious consideration except on small plantings, 26439, 26447-8.—Parts of stretch of hills north of Recess would be suitable for afforestation, large portion about Oughterard not suitable, 26425-9.

Congestion would be relieved by afforesting bare hills to the North, 26429.—And work provided during winter months, 26431.—Population unsympathetic because ignorant of value of timber, but some occupiers planted their own holdings, and Arbor Day had been established in Ireland, 26452-4.—Question of

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malicious injury by local peasantry would arise, but State could recover, and by degrees people would understand that purpose was to provide labour, and that it was better to help the State, 26475-85.—Afforestation had progressed slowly under Department of Agriculture, because no specified sum had been spent on it, what money the Department spent had been spent on forestry school at Avondale, which was no use until there was forestry work, 26458-9.

Before Land Act of 1881 nearly all land was let out by landlords to tenants for grazing, but since then Act made taking up of land from tenants for planting absolutely impossible; Board of Works lent money, but only at very high interest, 26472-4.—Another reason why landlords had not done much was that they had to wait so long to get any return for their money, 26465.

Question of first expenditure, 26466.—Lands should be acquired and planted by State; this system had been quite successful on Continent and in America, 26467.—Plantings in Ireland would be rather small, 500 to 1,000 acres, but profits would not be materially affected as they would be under State supervision, 26468-71.—Forestry, not only for ornament, but for cropping after crop of larch trees had been taken off land it could be parcelled out to peasant proprietors; bogland benefited enormously by needles, 26485.

Housing most important question in connection with congested districts work; witness suggested system of parish committees as adopted at Spiddal; strong desire among the people to have houses in order, good stables, etc., 26493.—Best for parish committees to deal with small areas in congested districts; spraying of potatoes and other improvements might be encouraged through them, 26494-7.—The smaller the area dealt with the better, 26495.

Transfer of ownership from landlord to tenant resulted in many cases in better class of houses being built, 26498-9.—Best way of dealing with occupation of land; well-managed properties should not be interfered with, but small sub-commission of present Commission should schedule worst managed properties, assess value, and decide if compulsion under superintendence of Supreme Court was necessary, 26500.—Well managed estate meant one whose landlord lived on it; was well disposed to tenants, and tried to meet difficulties of congestion, 26500A, 26504-6.—Some landlords did a great deal, 26500A-3.—An estate was well managed if it became a substantial economic advantage to district where it was situated; this definition applied only to congested districts, 26522-3.—Landlord might be so situated that he could not help himself, 26512, 26590-1.—Witness founded his opinion upon information derived from tenants and owners, 26587-9.—Condition of estate could be ascertained by applying to Judge Ross's Court; Commission on Congestion for the Congested Districts Board should approach owner and tenants; take over estate and put it in an economical condition; certain number of estates were practically plague spots, and should be dealt with rapidly, 26513-21.—Compulsion should be limited to this class of poor estates, 26525-7.—Proposal of compulsion limited to congested areas scheduled under Act; witness would be no party to compulsion; the less State used compulsion the better; if possible land should be acquired voluntarily, 26538-40, 26574-82.—It was not necessary on well-managed estates, but there were congested districts absolutely hopeless where it was necessary for establishment of economic holdings, 26537-69.—But well-managed estate situated between two badly managed estates must be taken if necessary for re-arrangement of district, owner being compensated, 26527-8, 26570-1.—Improvement, etc., of estates should be left to Congested Districts Board, 26524.—But special tribunal should fix price to be given for land, 26529-36.

Witness had worked communal and co-operative farm system on his estate for ten years; 400 acres of land were taken over and converted from grass to tillage, and let out at fixed rent by the year on co-operative con-acre system in small quantities to farmers round; at first about forty men working; now over 200 small farmers who get varying quantities of land; conditions had improved, and nearly all these men had purchased their holdings; communal system

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worked to advantage in Belgium, France, Holland, etc.; if Congested Districts Board adopted this method they would keep control of land for congested tenant; witness suggested it as an alternative to present system of enlarging holdings, 26592-613.—Rent must be fixed, 26614.—It might be tried at Mountbellew, where men could be trained at Agricultural College, 26617.—Great advantage in using Raffeisen banks with this system, 26595, 26619.—The whole thing should be co-operative, 26618-9.

Short synopsis of twenty years' work among the people of the congested districts; Commission should deal directly with people; poverty existed because land was continually tilled and worn out; communal system restored land; people should be compelled to cut bog properly, so as to assist drainage; areas of low quality grazing land would be better tilled and could be used for benefit of small holders; people in some districts prepared to leave and take up holdings in any part of Ireland; general consensus of opinion that it would be right to go in driblets; shelters needed for cattle, and improvement could be made in mountainous districts by planting belts of trees for protection, 26620-3.

Turf and fishing industries existed in Gorumna, Carraroe, and Spiddal; most difficult districts to deal with; fishing could not be developed to great extent, and there would only be profitable employment for section of people, 26633-6.—Number of people benefited by industries should be ascertained; value assessed, and residue induced to move on to other land; witness was strongly in favour of migration for inhabitants of Spiddal; hard-working people who would do well on good land; their agricultural knowledge would soon be improved if migrated on communal scheme, 26624-32.

Migration very difficult, but could be carried out by degrees; witness strongly disapproved of emigration, as people of West were finest peasantry, physically and mentally; their land was difficult to deal with, and troubles were the result of history; if Congested Districts Board gave assistance these people could be used with advantage for rest of Ireland; witness had employed Mayo men on his estate in Queen's County with satisfactory results, 26638-41, 26710.—Migration must proceed slowly, because of difficulty of getting hold of land when wanted, and unwillingness of people to migrate, 26642, 26648.—People had become more accustomed to migration since it was introduced by Congested Districts Board, and success of migrants on new holdings helped to do away with objections; there were two difficulties—petty jealousy among migrants and unwillingness of people to allow migrants to settle in their district, 26665-74.

Certain amount of untenanted land at present could be bought at fair price from landlord, but land was gradually passing into hands of people and being used for other purposes than migration of congests; after a few years there would be little untenanted land available, and grass lands would have to be purchased by compulsion; this might be prevented if State bought up all grass land, worked it on communal system, and moved migrants on gradually, 26643-51.—Certain amount of grass land should be given to heads of families with uneconomic holdings, but no new holdings created for younger sons; surplus should be held by State for benefit of migrants from uneconomic districts, 26652-64.—There would be an interregnum between purchase by State and permanent settlement of small farmer; holders in district might have pieces of land for tilling until migrants came; if State had control of land this advantage would not necessarily be taken away then, 26676-81, 26700-2.—Land could be divided up at once if it was ready, and if there was friendly feeling between migrants and those to whom they would be adjacent, 26674.

Large number of uneconomic holdings frequently abutted on grass land; if State purchased holdings and grass lands and sold to uneconomic holders they would be in position of owners, and allowed by State to share grass lands as communal holders; by degrees these men would have better system of agriculture, and State would have a margin for migrants, 26683-6; if there were uneconomic holdings on all sides the land must belong to the estate and should be dealt with in areas, 26687.

If State purchased grass land on which there were no uneconomic holdings State would hold these lands

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and graze them or let them out on eleven months' system, witness saw no objection to State holding grazing lands in congested districts, 26691-9.—Large areas of land available for relieving congestion outside congested areas without going to County Meath, 26695.—Requirements of uneconomic holders contiguous to grass land situated outside congested area should be satisfied first and then migrants brought to use surplus, 26708.

CRICHTON, Mr. ALEXANDER.

Congested Districts Board had been very successful but urgently needed larger funds and greater powers, 27232, 27238, 27253, 27261, 27280.—Non-scheduled parts required care, but self-help should be developed, and this task should be entrusted to the Estates Commissioners, 27232, 27253.—While Board should continue to act on philanthropic lines, 27253.—Strong feeling that Board's sphere of operations should be extended enormously, but it could not profitably extend activities to almost every county, as its essential duty was to relieve very acute congestion, and from a moral point of view treating large number of Irishmen as children was undesirable, only the very poor should be "spoon fed" by the Board, while Estates Commissioners assisted those better off to work more in the spirit of self-help, their main duties being to help uneconomic holdings to be made economic; to encourage colonisation of grazing ranches, and to assist in reclamation works, 27295-8, 27301-3.—Whole of Connaught and Donegal should be put under the Board, but expense might be a bar, 27233-4.—If whole of Connaught were given to Board that would establish claim for larger grant, 27260.—In portion of Connaught people were able and ought to help themselves, 27299.—Or if whole were given to the Board, the Board might differentiate, 27303.

All advances under Land Act should be made by Estates Commissioners or by Land Commission, but Board and Estates Commission should have power to make up deficiency between vendor's price and safe advances under Land Act, 27236.—Land Commission advanced money for purchase, Board paid for improvements out of income, 27326.—Fines should be imposed as a reduction of purchase-money, 27236-9, 27244-5.—This would enable Board to carry on more purchases with a given amount, 27246.—Fine was portion of tenant right, 27241.

Bonus was calculated on actual money advanced, which equalled whole of purchase-money, 27247-50.—Board bought both landlord's and tenant's interests, 27242.—Extent of annuity was based on purchase-money, which represented landlord's and tenant's interests, that necessitated either very low price to landlords or else unsafe advance to incoming tenant, 27243.—Instance given of farm sold for £300, State would pay £270, incoming tenant £30, or, in other words, Board paid £300 and landlord was paid 12 per cent. on £300, Board recovering £30 from tenant and fixing annuity on £270, 27251-3.

Board seemed more successful than Department of Agriculture, so witness advocated handing over proportion of their revenues and those of Fishery Board to Congested Districts Board, 27253-4, 27256-7, 27259.—Fishery Board had been absorbed in Department of Agriculture, 27255.—All possible applications for money should be made in view of new Bill, 27261.—When Board purchased estates in non-congested areas it ought to assist poorer people in those districts, which would necessitate increased resources, 27261.

Witness advocated indirect method of reducing prices payable to vendors of tenanted land in order to increase funds of Board, *e.g.*, let rate of interest on advances be 3½ per cent. and let annuities on estates begin after a term of fifteen years, this would give Board a profit of ¾ per cent. on advance for fifteen years, 27261, 27264-5.—But it would increase number of years during which annuities would have to run, 27266.—Witness gave example of sale of his mother's estate, she used to give abatements, but Board bought cheaply and tenants had to pay rents they had never paid before, 27262-4, 27269.—On Dillon estate 3½ per cent. had been charged by Board since Act of 1903, 27267-9.—Vendors would have to sell more cheaply, but actual loss would be reduced if full payments, including bonus, were made within

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a year, existing delays were a hindrance to satisfactory working of Land Act, 27270.—Impression in Ireland was that Treasury was responsible for delays, as it refused to lose more than £500,000 a year in financing the Act, and would not dare to upset the money market by creating undue amount of Land Stock, 27274.—Treasury did not really lose, as difference between par and value on flotation was borne by Irish Development Grant, 27275.—But schoolmasters' prospects were blighted by cutting in on Irish Development Grant, 27278.

Landlords had been generous, and had not received due credit for their generosity when they offered to take half purchase money in Land Stock, 27270-74.—Mr. Waldron, Dublin stockbroker, thought that these flotations of Land Stock would not have much effect on money market, 27277.—Ideal condition would arise if stock issued by Treasury were quoted at a trifle above par on Stock Exchange, and if vendors were inclined to retain large proportion of all issues of stocks for themselves, present procedure was both unsatisfactory and wasteful, 27278.—Taxpayers in addition to present liabilities would eventually have to redeem the principal, 27278.

Most suitable remedy seemed to be to increase rate of interest on fresh issues of Land Stock from 2¾ per cent. to 3 per cent., and therefore to increase annuities payable by purchasers of tenanted land from 3¼ per cent. to 3½, thus reducing loss to Development Grant, loss in case of redemption in cash at end of thirty years would be 5 per cent instead of present 10 per cent., or 2½ per cent. for redemption at end of seventeen years, 27278-80.—Board's estimated profits on land purchase would be reduced, but saving to Irish Development Grant would more than compensate, 27280.—Acquisition of land intended to improve condition of people living on miserable holdings, so money spent on purchasing untenanted land for congested districts must increase security on advances made on tenanted property, therefore no necessity for so large a sinking fund in case of untenanted land, 27280.—If vendors of tenanted lands were compelled to sell at 3½ per cent annuities instead of 3¼ per cent there would be a saving of about 7 per cent on the bonus, 27280.

Bonus on untenanted land should be increased to 20 per cent. of advance, 27281.—But even that would not tempt holders of good grass farms to part with them, few owners would care to sell except on receiving twenty-five times their average net income, 27282-4.—Net income difficult to define, average should be, as a rule, one and a quarter, or one and a half times second term rent; it followed that vendors would not care to sell except at prices varying from 30 to 36 times second term rent, 27285.—20 per cent. deduction for expenses might be too much, 27292.—Advance to be made by Congested Districts Board or Estates Commissioners would be based on what would correspond to a fair rent, equal to second term rent, and second term rents were lower than gross rents and lower than net profits, 27295.

Congested Districts Board offered land at low rent without fine, but Estates Commissioners should levy moderate fines, 27304.—Board did sometimes exact fines and then fixed annuities on balance of purchase money, 27305.—Rules re fines should be more definite, fines in Mayo would be a hardship, but in other places moderate fines might be levied, 27305-7.—Witness strongly felt that less should be given, as that took away inducement to thrift, but the people should have an opportunity of buying farms on easy conditions, if this were done it would induce children to stay in Ireland instead of emigrating to America, and if fine were levied it would help to ensure the best men getting the land, 27308-9.—Fine should be about one-tenth of total received by landlord and help of co-operative banks would prevent resort to money lenders, 27310-14.—Millions of money were on deposit in Ireland doing no good at all, 27308.—Poor men gave their daughters large dowries, 27315.—And would no doubt give as much to provide their sons with holdings, 27327.—The number of those wishing to get land was greater than quantity of available land, hence necessity for principle of selection, neither Estates Commissioners nor Board could deal with whole of Ireland except slowly, as Treasury resources and working powers of staff were limited, so whole district or whole country should be given equal opportunity of getting land on easy conditions, 27315.—

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Population of Ireland had declined 25 per cent in 25 years, but number of agricultural holdings had only decreased a little, thus proving that holdings retained their possessors; great good could be accomplished by Estates Commissioners if they offered part of grass farms to sons of small landholders over non-congested Ireland for payment of small sums in cash; families need not be migrated, as cost was very great, but best sons of small thrifty farmers should be encouraged to colonise Ireland rather than American slums, if 4,000 new holdings could be offered every year to sons of small farmers for 20 years depopulation would be arrested, 27316-27. Farms might be bought and worked for grazing purposes on co-operative lines by the Irish Agricultural Organisation Society, 27317-8.—Objection was that tillage would not be increased, 27319-20.—Tillage might be tried on co-operative lines, but obstacle to co-operation was mutual mistrust, 27320-23, 27325.—Private ownership was more of an incentive to good work, 27324.—Co-operation was stronger and more useful in the poorest districts; people were more intelligent in the poorer districts than in the better off ones, 27326-7.

Board should bridge gap between demands of vendors and prices obtainable from a safe advance to purchasers out of its revenues; in non-congested areas future purchasers should bridge gap out of their own savings, though Estates Commissioners should help towards fencing, house-building, etc., 27327.—Farm yielding £100 net profit would cost, including bonus, £2,500; advance under Land Act would be £1,875; bonus at 20 per cent., £375; fine, £250; annuity at 3¼ per cent, £60 18*s.* 9*d.*, 27327-9.—Bonus should be increased as it was too small to guarantee a low advance or a fair price, so Estates Commissioners could not hasten procedure, 27330.—£2,600 would be a fairer price for a grass farm bringing in £100 net than £2,500, but witness knew of much less being offered and then landlords were blamed for not taking small prices, 27331-3.

Landlords should get twenty-eight times seventy-five per cent. of their net income on a 3½ per cent. investment; the remaining one-fourth was more shaky, and would correspond to a five per cent. investment with certain risks, 27333.—Cost involved in carrying out purchases of untenanted land of £75,000 (Griffith's valuation) every year, or enough to provide land for 4,000 migrants and improve holdings of 7,000 small landholders would, if suggestion were carried out, be nil, 27337.

Cost of increased bonus and administration and aid to migrants for houses and fences would have to be counted, 27337.—Increased demands on the bonus would amount to £135,000; if that should prove excessive demand on taxpayers sums now granted to graziers as grant-in-aid of rates should be diverted; large farmers would object, but slight all-round increase in rates would be juster than compulsion, 27338.—Witness altogether opposed compulsion, but advocated giving every possible facility to vendors to sell; if that was insufficient reduce grant-in-aid of rates, 27339, 27348.—Agricultural grant was unfair, as graziers received full benefit from it, but men who built houses on their land did not benefit, 27340.—Agricultural grant ought to be given to a class of more use to the country and who contributed to its wealth, 27349.—Therefore modification of present system of allocating grant was necessary, 27350.—Legislation would be needed, 27344, 27351.—Farms beyond a certain valuation should pay more, 27344.—Reduction of rates on houses and increase on land would be juster all round, 27345.—Witness advocated setting aside of grant-in-aid of rates, and that anyone holding more than a certain amount of land should be made to pay on excess 5*d.*, 8*d.*, or 1*s.* in the £; but full benefit of grant should be received on houses, 27346.

Compulsion would not do landlords much harm; it might even benefit them; but small farmers and shopkeepers would suffer greatly, 27347.—Compulsion would do untold harm in Ireland, 27353.—Even in case of very obstinate landlords they should first be more heavily taxed, 27357-8.—Congestion could be dealt with by improvement of farms, migrating people to a distance, etc., 27357.—Witness would allow compulsion as a last resort on excess of land held over and above seven or eight times valuation of houses on pro-

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perty, 27355.—It was not necessary yet, 27356.—If a large number of landlords absolutely refused to sell it might become necessary, 27362-3.—Compulsion might even increase congestion in the future, 27364-5.—Witness held that labourers' cottages which had been erected by compulsion would increase congestion in the future, 27368.—Grass lands were needed for relieving congestion by migration and also for stopping emigration; the two must go on together, 27369.

CROSBIE, Mr. W. D. TALBOT-.

Objects of Irish Reform Association were—1st. Co-operation among Irishmen irrespective of creed or class for the development of country's resources and promotion of the welfare of the people. 2nd Securing for Ireland effective control over Irish affairs, as far as legislative union between Great Britain and Ireland permitted, 26758.

Witness's evidence chiefly to do with Connaught, 26712-3.—Land Act, though practically made for Connaught had absolutely failed there, in comparison with Ulster, Munster, and Leinster, 26714.—Number of holdings about the same in the four provinces, but Leinster holdings were much larger, 26715-6.—Connaught was exceptional, and required special treatment, 26714.—Fact that population of Connaught had decreased less than that of other provinces did not obviate the need for special treatment; the thing was to keep the people, 26995-9.—Connaught valuation much below that of other three provinces, 26718.

Principal causes of failure to purchase agricultural holdings in Connaught:—

(*a*) Smallness of holdings, which was not remedied by ordinary purchase; crux of Western problem was not purchase price, but how resources of country and general condition of people could be improved, 26718.

(*b*) Want of sufficient inducement to buy and sell, and length of transition stage between purchase being agreed and money paid; buyer paid higher interest than he would have to under annuity when purchase was completed, annuity only 3¼ per cent., including sinking fund, whereas landlord might charge 5 per cent., 26718, 26759-60.

(*c*) Witness had never found tenants anxious to buy or landlords to sell in the West; tenants looked upon purchase merely as change of landlord; reduction of rent from annuity not considered sufficient benefit; some landlords gave time for payment of arrears, but State only allowed two months, 26718-25.

(*d*) Estates Commissioners and Congested Districts Board sat at Dublin, and were out of direct touch with district; Congested Districts Board should give paternal assistance, as suggested by Mr. Balfour, 26726-8, 26880.—Connaught people must be worked sympathetically, 26880.

(*e*) Unwillingness of landlord or tenant to take initiative in effecting sale or purchase for fear of prejudicing bargain; third man wanted to come between, 26729.

(*f*) Dislike to change of residence, especially among old people, 26729.—It took witness two years to re-divide property 164 acres in extent, which was in randale, owing to people's superstition and dislike of change of houses; improved state of things resulted, and nearly all holdings were now economic, 26729-41.—Work could not have been done after Act of 1881, 26735.—An economic holding was one which, if properly tilled, was sufficient to produce a living for a man and his family; test should be inherent capability of soil, but witness had known men with small holdings who did better than those with larger ones; in Connaught you had to consider ability and industry of holder, 26742-6.

(*g*) Indifference on part of landlords and tenants as regards sales, 26746-8.—Not a matter of climate, 26749.—But more marked in Connaught than in Kerry, 26750-1.—No dissatisfaction among tenants with present position, 26752.

(*h*) Want of capital to improve and stock holdings, 26756.

(*i*) Tenants who bought direct from vendor thought they were barred from enlargement or improvement of holdings, 26756.

Remedy for difficulties:—

CROSBIE, Mr. W. D. TALBOT-.—*continued.*

(*a*) Size of holdings should be increased.—

1st. By acquiring under voluntary arrangement all grass lands that could be procured either on estate being sold or in surrounding district (congested or outside), whether in owner's hands or let as grazing farms, 26761-2.—Size of holdings should be regulated by quality of land and suitability of proposed occupier, 26761, 26779-82.—Not difficult to tell suitability of proposed occupier if he was a local man, 26779.

2nd. By migration of largest tenants as far as possible to where they wished to go and giving them sufficient inducement to leave, 26783.—Larger holdings, better lands, good drainage, etc., all inducements; but it was more a question of residence; people anxious to go where they had friends, 26784-6.

Untenanted lands of Ireland could at once be dealt with as a whole for purpose of re-arrangement and migration, given a satisfactory price and settlement with landlord; witness wanted one controlling authority; there would be no difficulty with people if question of price and negotiation were approached in proper spirit, 26787-96.—Compulsory purchase not contemplated, 26788.—Of course, it could not be done in a moment, 26794, 26798.—Witness restricted his meaning to lands connected with congested districts, 26795.—Purchase of land for migration not so great a difficulty as getting migrant to move, 26799.—If State held large area of grass land which could not be applied to migration for some time there would be great danger of creating very thing it was proposed to remedy; if people got it into their heads that every son of a tenant and every labourer was to get a bit of land, 26801-2.

3rd. By granting annuities to old people for their joint lives, leaving them their house and garden, and adding their holding to those adjoining, 26803-5.—Tenancy might pass to eldest son, who would be relieved of responsibility of aged parents, and his position would be improved by the State; that was merely an incident; object was to get possession of holding for re-distribution in order to relieve congestion; to benefit community rather than individual, 26819-22.—Not necessarily a very expensive arrangement, as tenants of other holdings who received part of this land could be made to pay an increased rent for it; practically the annuity would be contributed by the increased rent which would be charged for new holding, 26806-7, 26824-6, 26830.—State would lose something, but witness thought Government should be prepared for that, in order to settle Western question, 26829, 26831.—This was not an old age pension scheme, as there was a distinct *quid pro quo*, 26832-4.

4th. Notice had to be given to Land Commission when a tenant wanted to dispose of his interest under Act of 1881, and landlord had right of pre-emption; witness had strong opinion that this right should be extended to State, in order that holding might be consolidated and price controlled, 26835-41.

Right of pre-emption only to be applied in case of annuity created by Congested Districts Board or other authority, and to be part of condition upon which migrants were placed on land, 26842.

State could secure itself by reserving a proportion of fund which tenant received to pay off portion of the charge; if this were enforced it would prevent price of holding being raised beyond its proper value, 26843-6.

(*b*) Want of inducement for transfer of lands: productive power of land to be increased.

1st. By arterial drainage, which was duty of State in country like Connaught, where there was so much poverty and so many small tenants, 26847, 26853-8, 26860-2.—Landlords could not be expected to do it; since Act of 1881 they had become mere rent-chargers, and had no authority to enforce maintenance, 26859, 26872-3.—Power should be vested in State; charges of loan taken over, and drainage maintained; but maintenance charges should be paid by tenants; there must be authority to enforce this or there was danger of money being lost that had been spent on improvements, 26861, 26871, 26875-8.—Landlord and tenant both would be benefited; landlord would only be relieved conditionally on selling, 26863-7.

2nd. By reclaiming waste lands and paying tenants interest at 2¾ per cent. on outlay as soon as it became productive, 26847.

3rd. By encouraging manuring, 26847.

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CROSBIE, Mr. W. D. TALBOT—*continued.*

4th. Striking off balance of all Board of Works loans that had been paid for ten years to tenants and vendors, having occupiers responsible for maintenance rate.

For example, it would be a great inducement to landlords to sell and tenants to buy if heavy tax in connection with drainage of River Suck could be paid off, 26847-8.—Also if money spent by State on holdings was given as a bonus to landlords and tenants, in order to get hold of grass lands for re-distribution, it would facilitate voluntary sale of grass lands in whole of Connaught, 26851-8.

(*c*) Tenants regarding purchase as merely change of landlord, remedies for (*a*) and (*b*) would apply to this difficulty, 26879.

(*d*) Congested Districts Board should be re modelled, and its work confined to Connaught, Estates Commissioners taking control of other three provinces, Board should be composed chiefly of members acquainted with special needs of the West, and should have meeting place, staff, and offices in some central position in Connaught; Board could have local representatives in shape of advisory committees, 26879, 26905-6, 26913-5, 26923-8.

Competition was the soul of commerce, and the Estates Commissioners should have a fair trial at congested districts work, 26916-9, 26954-5.—Estates Commissioners would need extended powers in order to cover any loss they might make, 26922.

Advisory Committees would know special circumstances, 26929-30.—Would advise on questions of general policy, 26932-3.—Not on price, 26933-4.—Witness attached extreme importance to Advisory Council, 26931.—Landlords could still sell direct, 26936.—In cases of direct sale, Congested Districts Board should have power to deal with estates after sale, 26937-41.—Landlords would make no difficulties if treated sympathetically, 26942.—By sympathetically witness meant not officially, Connaught people hated officialism, 26943-4.—That was why Congested Districts Board had a hold on the people which Estates Commissioners had not, 26945.—And why landlords and tenants were so much in sympathy, 26946-7.—Congested Districts Board instituted as a paternal body, and people of Connaught required to be dealt with personally and directly, 26880-1, 26908-12.—Mr Doran was eminently suited to the work, but he was only one man, and business had to be done with Board as a whole, 26882-4, 26910.

General feeling in the West was that State should provide money, and those in sympathy with the people should spend it, 26956-7.—Witness thought Parish Committees were not composed of representative men, 26959.—Three years ago, when Athenry was in a bad state, witness had sold an estate there nearly all under grass, in large holdings, not knowing there was any congestion; in reply to representations of United Irish League, witness undertook to do all he could provided there was no intimidation; he got the purchaser to let him off his bargain, and the farm was distributed by the League, the annuity being proportioned; no fault could be found with the League's action, but Estates Commissioners had not shown themselves sympathetic 26960-8.—In another case League had accepted witness's explanation on behalf of a tenant who had taken a field, 26968-9.—And generally he had not found them to act badly or unfairly; it was a question of sympathy, 26969.

Witness had offered estates for sale to Estates Commissioners, but Mr. Finucane refused to deal with him personally; then he applied to Congested Districts Board; they suggested joint inspection by Board and Estates Commissioners; witness strongly objected to inspection as primary step since tenants were sure to see inspector and know that owner refused to sell at price offered by Commissioners, 26886-9.—Question of inspection was waived and basis of an agreement arrived at with Mr Doran, then Board decided that they could make no offer till inspection had been made, 26890.—Witness offered to show his books, receipts, etc., 26892.—All direct sales to tenants were conducted without inspection, 26894-5.—Other properties were purchased on rental, 26896.—Tenants on estates in question were some first term and some second term men, 26898-901.—Joint inspection not reciprocal; Estates Commissioners did not call in the Board's inspector when they bought property, 26890, witness did not object to inspection as a second step, 26893, 26907.

(*f*) Young people might be migrated, old people given an annuity and left the house and garden for their lives; that would not involve two holdings, 26970.—Annuity partly provided by increased interest paid by adjoining tenant on increase in his holding, for tenant's interest of which he would have paid nothing, 26972.—This interest would practically be interest on fine, 26973.—No one should get tenant's interest in a holding for nothing; tenants were perfectly willing and able to pay, 26974-7.—Whether proper payment was made by new holders for holdings from which people had been migrated depended on amount of annuity representing landlord's and tenant's interest, 26978-88.

(*h.*) Every tenant in a congested district should be able to get an advance for improvements and stocking at 2¾ per cent from State funds, 26991-2.—Advantage should be conferred on other provinces as well as Connaught, 26994.

Failure of the Act in respect of grass lands due to want of any guiding principle by which purchaser and vendor could estimate price; only method at present was inspection, which practically bound vendor to accept price offered, and therefore prevented owners from selling, 26999-27000.—Inspectors at present were officers of the Land Commission, 27112-3.—And Estates Commissioners were the Land Commission, 27114-5.—It would be an improvement to have a valuer appointed by owner as well as one appointed by purchaser, 27118-20.—But still not a fair basis of action, 27121.—Witness had same objection to inspection as primary thing on untenanted as on tenanted land, 27122-4.—There was also the want of some disinterested medium through whom both parties could be approached without prejudicing their case and further the want of an open market, which was impossible, because it would bring in new tenants, 27000, 27126.—Vendors should be compensated by the State for the loss sustained in being prevented from selling in open market; certain proportion, if not all, of such compensation should be recovered from new tenants by increasing their annuity; amount of compensation should vary from five to ten years' purchase of equivalent of second term rent, 27126.

Land Conference report laid down income as represented by second term rents or their fair equivalent as basis of price, which should either be assurance by State of that income or capital sum producing that income at 3 per cent. or 3½, if guaranteed by State, or if powers of trustees were sufficiently enlarged; costs of collection, not exceeding ten per cent., should be excluded from income; such income on capital sum should be obtainable without capital outlay to prove title to sell or to receive purchase money, without unreasonable delay, without loss of income pending re-investment, and without leaving portion of capital sum as guarantee deposit, 27100, 27104, 27107.—In typical case given gross income rent actually received was £746, less ten per cent., £672 yielding, when capitalised at 3½ per cent., £20,400; or, as Mr Finucane proposed, taking Government valuation as basis, £490 for tenanted land gave £10,290 at twenty-one years' purchase; £322 for lands in owner's hands gave £8,372 at twenty-six years' purchase, which, with addition of bonus, £2,162, gave £20,822, 27008.—Bonus was payable on every kind of sale, 27010-12.—Except on bankrupt estates, 27013.—Poor rate was on untenanted land and would have to be paid by purchaser, 27015-6.—Anything purchaser had to pay for afterwards should be deducted, anything redeemed should not be deducted, 27016.—Witness's summary showed that sale was perfectly safe without inspection, and that price could not be far wrong, since it worked out in six different ways, 27017, 27018.—Herd's freedom a distinct asset in Connaught; herd got collops and so many head of cattle, with grazing in summer and hay in winter, and 2½ acres of land or more, 27019-20.—He was paid in kind almost universally, 27021-2.—He would get a holding instead of salary for work, and would not object to change, 27023-6.

Price should be worked out according to suggestions, then estate should be inspected as regards general condition, etc; if further inspection were required as regards security, purchaser or vendor should be able to appeal to an independent tribunal as an equity judge, 27078, 27110-1.—Grass land primarily concerned,

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CROSBIE, Mr. W. D. TALBOT.—*continued.*

27079-80, 27109.—Witness did not touch question of mortgages, because they were paid off, 27081.—Every charge paid off was redeemed, 27083.—There were two divisions to be considered in regard to security—security of the Government and security for payment of interest; for the former there was the landlord's interest, and over and above that the tenant's interest, which gave an ample margin; for the latter there was also an ample margin, 27000.—Witness, from thirty years' experience among them, absolutely denied that Irish tenants were dishonest as regards payment of rent; he put in a table showing rents he had received in the very worst times, 1879 to 1883; he got arrears even, though everyone else was giving abatements, 27165-9, 27174.—Rents now were twenty-five per cent. lower, 27170-1.—Inference was, absolute security for the State in regard to annuities, 27172.—Wyndham Act far better for tenants than Ashbourne Act; under latter farm held at £100, and sold at eighteen years' purchase, would pay annuity of £72 for forty-nine years, whereas under former annuity would be £58 10*s*., giving an annual saving of £13 10*s*., 27175.—Number of years' purchase taken made no difference to comparison, 27176.—£13 10*s*. invested annually at compound interest at four per cent. would amount to £1,968 in forty-nine years, 27180.—Deducting balance of purchase-money still due at end of forty-nine years, which was £900, there was still credit balance to tenant of £1,068; total purchase-money under Ashbourne Act was £1,800; deducting £1,068 from that, total amount paid for holding would be £732, that was seven years' purchase as compared with eighteen under Ashbourne Act, 27181-2.—Under Wyndham Act tenant paying £72 per annum would get up to same amount in thirty-nine years as tenant under Ashbourne Act in forty-nine, which would be saving of £720, which, if invested at five per cent., would give £35 a year in perpetuity, 27183-4.—Any farmer could get five per cent. in improving his holding, 27185-6.—Tenants as a rule would choose the Ashbourne Act, simply because they did not understand it, 27188-9.—Five tenants to whom witness had sold were worst paying tenants on property and very unthrifty, but they had paid annuities on average of twenty-two years' purchase, 27190-5.—Land did not produce two-thirds or half what it might, 27195.—Object of breaking up grass land was to have tillage, otherwise it would be anything but a benefit, 27196-7.—Four farms of twenty-five acres would not carry 100 head of cattle under present system, 27198.—They might by home feeding, 27199.—But home-fed cattle would have to be finished, 27200.—Witness fully endorsed Father O'Hara's evidence that gross produce could be doubled by improved agriculture, draining, manuring, greater variety of crops, right class of stock, etc., 27205, 27207.—Land was purchased in many cases at its minimum value, so that security was perfectly safe if money were spent on improving it, 27205.—Spirit of Act of 1903 was to develop resources of country and improve condition of people, and the more these objects were promoted by the State the better would be the security, 27208.—No need for compulsion, no landlords would make obstacles if they got a fair price, 27208-15.—Landlords willing to sell if there was anyone to deal with, 27217-8.—Landlords should not be asked to sell grass lands and be left with tenanted lands on their hands, 27223-30.

All charges must be redeemed out of purchase-money; any that could not be cleared should be deducted, 27084.—In Land Conference scheme £672 was income, not net income, 27085-8, 27103.—Witness was considering free sale, not compulsion, 27087.—Inducement ought to be exhausted before trying compulsion; whole spirit of the Land Act was to work by inducement, 27088-90, 27097.—Landlord could pay off charges at any moment, 27093-4.—Tenant was bound to get fair value, but not to get land cheaper because estate was encumbered, 27091-2, 27095-6.—Ten per cent. deduction for cost of collection was taken from Land Conference terms; witness thought deduction should not be made since agency fees had to be redeemed, 27098, 27106.—In case of grass lands the ten per cent. should go under the head of taxes which tenant would have to pay when he came in, 27098-101.—Witness maintained that landlord's private engagements had nothing to do with position taken up by Land Conference, 27105.—Three kinds of grass land; (*a*) those that could be profitably tilled by small farmers, 27127.—(*b*) those that would be disimproved by tillage, rich grass lands requiring considerably developed agricultural skill for profitable tillage, 27127.—(*c*) those that would be improved by tillage, heath lands, etc., 27127.—Very soon improved by breaking and manuring, Mr. Elliott's system had been marvellously successful in Ireland, 27128-32.—Restoration of land exhausted and burned by guano would be an immense benefit, 27133.—Theory originated fifty years ago, 27134.

In case of grass lands farmed by vendors never having been rented it was difficult to estimate purchase value, vendor should be dealt with very liberally, 27135.—In case of lands where vendor had taken in grazing stock for the summer and had meadowed portion of land, purchase value should be estimated by average gross receipts for a certain number of years, deducting taxes and outgoings, and capitalising at 3½ or 3¾ per cent., according to circumstances, 27135, 27137.—In case of lands let on eleven months' system (a ruinous system) purchase value should be estimated as above, 27135.

Four kinds of waste and partially waste land due to (*a*) want of drains and maintenance of drains;
(*b*) want of cultivating;
(*c*) want of manuring;
(*d*) burning and excessive use of guano;
(*e*) over-meadowing and letting meadows by auction without manuring, 27138.

Remedies suggested—

(*a*) Government should at once take arterial drains where required and deepen existing water-courses; thousands of acres could be brought under cultivation, and there was no reason why the work should not be done this summer; tenants could not do it; landlords were debarred, therefore it was the State's duty, 27138-9.—Government would have to do maintenance, making tenants pay a charge, 27140-2.—Commission now about to report did not go beyond drainage nor touch question of reclamation of waste lands, 27143.

(*b*) Government should pay occupiers for reclaiming and cultivating waste lands, charging annuity when they became reproductive, or else have reclamation done and divide reclaimed land among adjoining tenants, charging them annuity in proportion to increased value of lands; this also could be done at once without legislation, 27143.

(*c*) Purchasing tenants should be given a certain amount of artificial manure free, provided that they put on farm-yard manure to a sufficient amount, 27143.—Paternal system involving expense, but that must be faced if anything was to be done in Connaught, 27153.

(*d*) Damage had been done in the past, but existing laws against burning should be enforced, 27143.

(*e*) System should be discouraged in every way, 27143.—It was generally practised, 27144-5.—Meadow as it stood was let for hay; whoever bought it let it stand as long as possible, and cut it down to the very soil, so that there was very little after-grass, 27146, 27150.—No way of preventing it; very often owner did it himself, 27151-2.—Round Loughrea last year whole country was under hay-cocks, because the land was striped out, but fences were not yet made, 27147.—Possible to go on taking hay off land year after year, and after a certain point it did not get much worse, 27148.—Artificial manure paid over and over again, and paid at once, 27149.

Credit system of living, often practised by small farmers, most expensive system possible, both for shopkeepers and tenants, 27155.—Shopkeepers did not act harshly so long as their creditors continued to deal with them, 27156.—No cheap escape from Bankruptcy Court in Ireland, 27158-9.—Simple and expeditious means of getting clear before County Court would be an immense check on giving credit, 27160-1.—But at present credit was an absolute necessity to the Irish farmer, because he had no cash, 27161-3.—If he could not get credit he must be able to borrow money cheaply, 27164.

CROSBIE, Mr. LINDSEY TALBOT.

Witness affirmed that Mr. Bailey's evidence regarding sale of his Kerry estates and fictitious arrangement between himself and his tenants whereby a certain sum of money beyond actual purchase price was arranged, so that landlord might get bonus on added amount while tenant would get sum of money for improvements at low interest, was utterly misleading; Commissioners were cognisant of the whole transaction,

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CROSBIE, Mr. LINDSEY TALBOT.—*continued.*

and had ruled that advances out of Land Purchase Fund could be made for improvements in cases of sales direct from landlord to tenant; if any fraud upon the Act had been committed, it was by tenants and Commissioners, the one to get cheap money, the other improved security, the landlord did not come in at all except on the question of bonus; if the Commissioners had objected to added moneys being sanctioned, witness would have acquiesced, and thus hastened sale of property and avoided loss; question of bonus was based upon supposition that sales were within the zones, and that Commissioners could not discriminate between purchase money and advances for improvements, but full details had been asked for and given, terms of sale had been concluded three years before, but upon four separate occasions sale had been blocked through no fault of witness, 25517.—On last occasion some few tenants had made an unwarranted claim, which he refused to consider, 25517, 25519.—Witness's properties were all within the zones except one, so inspection might take place under the conditions of a property sold within the zones, 25520-26.—Tenor of Mr. Bailey's evidence was that if estate was within the zones Commissioners had not power to differentiate, if total had been put down in purchasing agreement, between purchase-money and advances for improvements, 25521.—Evidence of tenants could be taken by the Commission if they desired it, 25527-8.

Tenants who put forward a fictitious and bogus claim were guilty of blackmailing, a case was before the Estates Commissioners, who had sent down a special inspector to go into the question, 25529, 25531.—Claim was for flooding of their land and reduction in their purchasing agreement; it had not been made when estate was sold or agreement signed, but after three years' claim was sent to Estates Commissioners, 25533-4.—They wanted to break through their purchasing agreements after having signed them, 25534, 25537-9.—Transaction was for over £100,000, which witness was supposed to have vitiated for the sake of increase in bonus of £200 or £300, 25536.

Transaction referred to by Mr. Bailey was that certain sums due for arrears had been added to purchase money, the Master of the Rolls, and, on appeal, the Court of King's Bench, had decided that that was a legal course, and it had been the practice of the Commissioners up to that time, 25540-3.—Agreement had been made that certain money should be handed back to the tenants out of the advance for purchase-money, for improvements, etc., after it had been fully considered and sanctioned by the Commissioners, 25545.—The object was to enable tenants to get a little capital for drainage works, as all their money had been expended on hay-sheds; at first witness had refused request of tenants for advance, but a neighbouring estate had done it, and Estates Commissioners had ruled that such advances were legal, so consent had been given, on condition that Commissioners were cognisant of the whole proceeding, 25546, 25574.—Witness had agreed with his tenants for a certain fixed sum to be added to the purchase agreement, which was to be returned to tenants when money was provided, 25547.—It was a method of getting a cheap loan for sixty-eight years, and was a great advantage to them and improvement to the farms, as well as an advantage to the State in the improved security, 25548-9.—Purchase agreement had not been signed before added money was considered, this added money was considered between date of selling estate on terms agreed upon, and date of tenants signing purchase agreements, before agreements were deposited with Estates Commissioners, 25552-7.

Bonus question had not arisen at all during the transaction, as the question the Commissioners had raised was whether they could made advances for improvements, 25559-60.—When purchase-money was deposited and distributed, Estates Commissioners were bound to pay a twelve per cent. bonus upon it, but not until then, as it was the last transaction of all, 25561-2.—Bonus was 12 per cent upon the gross purchase money, 25564.—Witness contended that in this transaction there was purchase-money and added money, and upon the latter there could be no bonus, 25565, 25565A.—There was no power under the Act to give specifically a loan to tenants for improvements, 25566.—Therefore if loan for improvement were obtained it would have to be by treating it as part of the purchase-money, but witness had been careful to make

CROSBIE, Mr. LINDSEY TALBOT.—*continued.*

it clear to the Commissioners that this loan was money added to the purchase-money, 25567, 25570.—If it were illegal there could be no legal consequences, and no bonus could be paid, 25568-69A.—Witness absolutely denied that he had tried to get bonus on a fictitious purchase amount, 25571-3.—He had not tried to claim a larger bonus than he was entitled to, 25576.—Last inspection of estate and inquiry had taken place nearly three years after deposit of agreement, 25577.—No flooding had occurred during that period, nor for many years, but flooding had been considered in fixing second term rents, and a deduction of 20 per cent. had been allowed, 25578-9.—Witness had not been asked to deposit any security against flooding, but he had not got the decision of the Commissioners, 25580.—Estates Commissioners were acting within their rights in making close inquiries, as, by recent rules, special reference was made to the upkeep and safeguarding of river and sea embankments, 25581.—Second term rent might vary according to developments, but when an instalment was payable for sixty-eight and a half years, it was possibly a serious thing to have flooded land, 25583.

FITZGIBBON Mr J.

Programmes of Land League and National League were similar as regards land; agrarian policy of United Irish League was similar to that of Land League; wording of constitution of United Irish League, so far as it related to land; abolition of landlordism by means of a universal and compulsory system of sales of landlord's interest, tenant's property being excluded in assessment of this interest; together with reinstatement of tenants evicted in connection with the land war and restoration to legal status of tenancy of caretakers and future tenants whose rights were sacrificed by operation of Section 7 of Land Act of 1887; periodical distress and famine in the West to be ended by abolishing, on terms of just compensation, the grazier system, and restoring the people to occupation of lands in holdings of sufficient size and quality; National League (founded by Mr. Michael Davitt and supported by Mr. Parnell) programme was to protect the people from unjust or capricious exercise of privilege by landlords or any other class, to seek abolition of present land laws in Ireland by every constitutional means, and to substitute a system in accordance with social rights and interests of the people; both organisations aimed at creation of a peasant proprietary and more equitable distribution of grass or untenanted lands, 25587.

Other agrarian organisations existed in the fifties, not conducted in daylight, known as Ribbonmen, Whiteboys, and Molly Maguires; sequel to clearances following famine of 1846 and 1847; hopeless endeavours to compel men to give up lands from which people were evicted, some evictions made previous to passing of Encumbered Estates Act of 1849; greater number of clearances took place after 1849; no constitutional organisation then in Ireland, only method that of visiting houses by night to deter those who were helping the landlords, tracts laid down for grazing were dug up at night as a mark of indignation against the evictions; revenge taken on evictors and abettors, for which hundreds suffered penal servitude; no constitutional movement existed until founding of Land League on August 16th, 1879, in Mayo, few years before Tenants' Defence Association had been founded by Messrs. Harris and Kilmartin in County Galway; local character of organisations, efforts to make tenants combine not effectual, 25388-9.—Act of 1870 arose from Fenian organisation of 1865 and 1867, not an agrarian organisation, 25390-1.

Failure of potato crop in 1879, and fall in price of cattle due to importation of American beef, made tenant-farmers realise necessity of keeping a grip on their holdings; from passing of Encumbered Estates Act to founding of Land League, population of Ireland decreased by 2,500,000; evictions in three years following passing of this Act, according to Mulhall's dictionary of statistics, numbered 190,000 families, 950,000 people; Pollock clearances, 1,100 families evicted on portion of estate for purpose of concentrating holdings into vast grass ranches, 25391.—Date of Pollock clearances, 1853 to 1855, 25392-3.

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FITZGIBBON, Mr. J.—*continued.*

Pollock estate in County Galway, 25394.—Traces of old divisions of holdings still visible, not so great on Pollock estate as on others, care taken to erase traces, 25395-6.—In November, 1879, at a tenant-farmers' meeting in Roscommon, Mr. Parnell offered the landlords twenty years' purchase on the Poor Law valuation; in 1880, at Kilkenny, Mr. Parnell said that landlordism could not survive in Ireland, no system of partnership between landlord and tenant could be obtained from the State, vast unpopulated tracts and ruined homes showed necessity of putting an end to system and initiating a system that would allow the land to be properly cultivated; he directed that no efforts should be wasted in propping up landlordism, but to work for the right of ownership, every other country had substituted ownership for feudal tenure; prosecutions followed speeches of a similar character delivered by Messrs. Parnell, Davitt, Dillon, and others; lengthy State trial in 1880, resulting in no conviction; Land Act of 1881, attributed to results of agitation; preceded by Mr. Forster's Coercion Act; fashion in Ireland to precede remedial legislation by coercion; Irish representatives' speeches on Second Reading of the Bill all urged expropriation of landlords, and substitution of a peasant proprietary; Mr D. O'Conor said landlords differed in opinion, etc, from the majority, and country required an increase in occupying owners; Mr. J. Dillon was imprisoned for advocating rejection of Bill and introduction of a Bill conferring absolute ownership; suggestions made during Second Reading Debate in favour of emigration; facilities for emigration introduced into Bill; Mr Parnell regretted adoption of principle of emigration instead of migration, suggested power for proposed Commission to purchase land in Ireland, believed that every man was required in Ireland for development of industrial resources, emigration should be a natural movement, as in continental countries; Mr. Parnell also said that condition of Irish labourers was wretched, he thought proposed Commission should have power to buy land and settle labourers upon it in districts where they might find employment; arrangements proposed for the Courts in the Bill, Mr. Parnell's opinion that it was extremely difficult to reconcile the respective interests, and any friction would destroy utility of proposed scheme, true solution of land question was to enable occupiers to become owners, 25397-9.—Mr. J. Redmond also objected to facilities for emigration provided in Bill, population decreased by 2,500,000 in twenty-eight years, 100,000 had emigrated in the previous year, 75 per cent between ages of fifteen and thirty-five; thousands of fertile acres in Ireland without a homestead, and thousands of acres of reclaimable land; Irish representatives accused of making extravagant demands, no attention paid to their representations at the time of the Bill; unchanging character of Land League programme could be judged by perusal of debates of amending Bills up to 1903, and now only partly secured by adopting Land League programme; hoped that present Commission would finally settle question; witness agreed with much of Mr. Finucane's evidence and with the generality of Messrs. Doran's and Bailey's evidence, the three would have no difficulty in settling the question finally, if they had the means and the co-operation of Irishmen, twenty-six or twenty-seven years wasted; cost of the strife between State, landlords and people in suffering, eviction, etc.; conclusive proof of unsuitability of Englishmen and English Parliament to deal with Irish questions afforded by repeated attempts to settle question; constant expenditure of public money to bolster up a system objected to by Ireland's representatives and leaving Ireland so unsettled that community had suffered by constant emigration; absolutely necessary to settle Land Question finally, not only by making present occupants of holdings the owners, but by bringing back to the land the descendants of those who had been driven off; programme of United Irish League comprised equitable distribution of grass lands or untenanted lands acquired by compulsory purchase where voluntary sale failed, acquisition of all tenanted lands by the same process; uniformity of price to be secured by conducting sales through Estates Commissioners or Congested Districts Board, either body being allowed to fix prices; uniformity of price could not be carried out through direct sales, rents fixed much more favourably on some estates than on others, tenants hoodwinked into giving larger prices than they should by tenants with

FITZGIBBON, Mr. J.—*continued.*

large holdings who expected improvements which the smaller tenant did not hope for.

Standard of purchase-price mentioned by Mr. Boyd, namely, twenty-three years' purchase of second term rents, was too high, especially for land in the West, 25399-400.—Landlords received several sets of bonuses under Act of 1903; previous to the Act landlords in the West of Ireland would have been glad to sell at twenty years' purchase, or even eighteen years' purchase, 25401-3.—Financial arrangement under Act of 1903 substituting payment of 3¼ per cent. for sixty-eight years instead of 4 per cent. for forty-nine years, tenants agreeing to higher prices because annuity for repayment of loan was reduced, 25403, 25407-9, 25412-20, 25494-503.—Alteration in financial arrangement was fair equivalent to depression in price of land stock from £110 to £98 or £96, notwithstanding landlords' assertion that the 12 per cent. was to make up for the depreciation in land stock, 25403.—12 per cent was the bonus, 25404, 25410.—Tenant encouraged to offer the highest price, 25405.—Increased number of years' purchase more than corresponded with depreciation in land stock, 25406.—Difference in price went entirely into the landlord's pocket, 25413, 25420.—Difference of more than three years in prices of land bought under the Ashbourne Act and those bought under the Act of 1903, 25420.—Proof of statement could be obtained by comparing prices received by solvent landlords before and after Act of 1903, difference of at least 20 per cent., 25421-2.—Land purchase would have been slower without the inflation of prices caused by Act of 1903, but it would not necessarily have stopped, difference between the 4 per cent and the 3¼ per cent. sufficient in itself without any bonus, 25423-9.—Great stimulus to land purchase if simple measure giving the bonus to former Acts had been substituted for Land Act of 1903, 25431.—Third inducement to landlords was the power to buy back the demesne lands after selling, 25432.—Three bonuses received by landlords, bonus in financial arrangement, 12 per cent. bonus, and buying back after sale of demesne lands, 25432.

United Irish League did not accept Land Conference basis of settlement, net income on second term rents accepted as a basis for the calculation, 15 per cent. deduction for cost of collection and bad debts instead of the 10 per cent. mentioned by Mr. Boyd, fair basis for compulsory purchase of land outside congested districts, 25435-43, 25449.—Witness gave his own opinion, not that of United Irish League, 25444.—Land Conference undertook to give landlords their net income, unencumbered men would receive more than encumbered men, gains in one case would have to be devoted to reduction of rent in the other, 25445.—Land Conference offer was 3¼ per cent. as the basis of capitalisation, but 3½ per cent. was now accepted by the landlords, 25447-8.—Witness was speaking of untenanted land, Land Conference did not make any distinction, 25450-1.—Loss would be at least 10 per cent. on bad debts, witness quite willing questions of the kind should be settled by inspection, 25453-5.

Proposal that 12 per cent. bonus should be largely devoted to settling on untenanted lands immigrants from congested districts and sons of tenant farmers under the valuation of £12 or £15, 25456-8.—Price of untenanted land hitherto purchased was from 26½ to 27½ years' purchase on fair rents, new tenant started under higher rents and substantial portion of balance ought to be set aside to provide farm buildings, etc., 25459.—Impossibility of saying that twenty-three years' purchase was too high without knowing the particular conditions of the property, some land at twenty-three years' purchase of second term rents cheaper than other land at twenty years' purchase of second term rents, twenty-three years' purchase as a fixed standard for compulsory sale too high in many cases, 25460-2.—Great difference in rents fixed by Commissioners, people who agitated got great reductions, and those who submitted quietly got less; inspection absolutely necessary to secure uniformity in price, 25462, 25472.—Second term rent of bad land was not proportionately lower than second term rent of good land, 25463.—Twenty-three years' purchase meant a reduction of 25 per cent., 25464.—Witness was speaking of averages and meant between twenty and a-half and twenty-three years' purchase, 25466.—Five advantages given

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FITZGIBBON, Mr. J.—*continued.*

by Act of 1903, 12 per cent. bonus, power enabling owners of mortgaged estates to pay off mortgages, power to buy back demesnes, relief as regards legal expenses, arrangement for reducing the annuity from 4 per cent. to 3½ per cent., 25467-71.—Inspection did not secure uniformity in rents fixed by Sub-Commission, Commissioners varied very much in capacity, system of fixing rents prior to 1903 certainly not the best; witness hoped that tribunal for fixing purchase values would be more capable than Commissioners appointed to fix rents, 25473-7.—Some new tribunal would be required to settle purchase values, 25478.—Witness's criticism referred to Sub-Commission and not to Estates Commissioners' Inspectors, who were quite capable of fixing fair rents, 25478-84.—At any rate those who came to witness's district were capable, 25584.

Clearances on Pollock estate between 1852 and 1855 attributed to establishment of Encumbered Estates Court, but very small holdings had diminished instead of increasing, witness could not account for clearances not showing upon Census returns, but could easily find out; population of Roscommon was 300,000 in 1832, and was a little over 100,000 at present, 25485-92.—Power to sell the demesne and re-buy it was a bonus which was availed of a good deal, at any rate it was an advantage offered, 25504-8.—Reason for fixing twenty-three years' purchase, calculated that that price and the bonus would bring in the net income, 25509.—15 per cent. deduction from gross second term rents a fair method of arriving at net income, deduction should be 20 per cent. for western estates, 25510-15.—The settlement of evicted tenants between 1850 and 1855 had been various; some had emigrated, others had sought holdings on unreclaimed moors, the more feeble had entered the workhouse, 25584.—Census returns between 1851 and 1861 showed diminution in small holdings, 25586.

Defects of Act of 1903 could best be seen in its working, though framers of Act had tried to go a long way towards settlement of the question, 25586.—Inspection of estates was always necessary in case of direct sales, no matter how good the estate was, for following reasons—first, to see how second term rents worked out compared with "fair" rents; secondly, the uneconomic holdings merely got a reduction in rent, which generally only amounted to an addition of not more than 5s. to 20s. a year to the income of the tenant, practically leaving his condition unchanged; thirdly, improvements were absolutely necessary before estates were handed over to the tenants, and Commissioners should see that estates not sold under section 6 required some improvements and were practically free from small holdings, 25586.—Witness suggested that in cases where estates had passed through without inspection they should still partake of the advantages they would have received had they been sold under the proper section; inspections as at present conducted related, not to improvements, but to boundaries, 25586.—The Sandford and Cleeve estates, especially, which were sold immediately after the passing of the Act of 1903, ought to have at least £10,000 and £1,000, respectively, spent on improvements, which would enable the tenants to make their own improvements; many holdings at present uneconomic could be materially enlarged if a thorough system of improvements and drainage could be carried out; the Commissioners had made a free grant of £1,000, and had agreed to give another £1,000; the reasons for the application were that these estates were among the first sold, and the Sandford estate was dove-tailed into the Dillon and De Freyne estates in the congested portion of it, and there ought to be uniformity of treatment, 25586.—Commissioners ought to know the law, and they should see that each class of estate was properly dealt with under the proper section, 25586-7.—Witness was present at the negotiations, and tried to make the best bargain he could; he had been led to believe that the Congested Districts Board was going to deal with the estate, 25588-9.—Tenants on most of the estates in Roscommon looked to witness for guidance and assistance, but he had made a mistake on one estate, though good terms had been obtained, as tenants bought at from eighteen and a-half to twenty-one years' purchase on first term rents, and received some thousands of acres of bog free and a half year's rent added to the purchase-money; but witness would oppose a direct sale if same thing had to be done over again,

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25590A.—Uneconomic holdings ought to be made economic before they were sold to the tenants, and estates should be bought under the proper section; the Sandford and Cleeve estates had not been handed over to the tenants in the condition in which the Act of 1903 intended, improvement of holdings was far more important to tenant-farmers in Ireland than reduction in rent, 25591.—If direct sales were to be continued, witness suggested that as soon as arrangements to purchase were signed an inspector should be sent to the estate to report on number of small holdings, prospects of enlargement, and general improvements necessary before handing over particular estate, 25591.—Holders of good-sized holdings partook more of the advantages of sale than, as a rule, the small men; so it was reasonable that they should pay their share of the expenditure, if they purchased on the same terms as men who occupied uneconomic holdings, 25591.—Landlords had received numerous advantages under Act of 1903 compared with previous Land Purchase Acts; tenants, through alteration of the financial provisions of the Act, as compared with the Ashbourne Act, had contributed, so far, four years' rent increase of the purchase-money to grease the wheels of land purchase; the falling off in the number of estates offered for sale was caused by the reduction in the price of Land Stock; since then tenants' contribution had more than made up deficiency; the landlord, in addition, received twelve per cent. bonus; tenant had received practically nothing; he was in the position of the dog being helped to a bit of his own tail, 25591.

£200,000 had been set apart for the evicted tenants who suffered in the land war of 1879, 25591.—Commission should recommend that the British Treasury supply as many millions as would be necessary to bring the people who had been compelled to leave it back to the land; that would be the safest method of strengthening the Empire; let the foundations of a prosperous Ireland be raised by doing away with an unworkable partnership that existed between landlord and tenant, carrying out Mr. Finucane's scheme of taking necessary land from those who were holding large tracts of grass and not working them; prices paid for tenants' interest on some holdings, often four times their value, proved that there was a desire for land in Ireland, though statements to the contrary had been made; these fines were paid by men who had earned money in America and Australia, and sometimes in England; thousands of Irish exiles were anxious to return to Ireland, but there were plenty of young men in Ireland who could occupy untenanted land; their savings would have to be supplemented if they were to work the new holdings; a large sum invested in this manner would be a greater source of strength to the Empire than great expenditure on the army and navy, 25592.

Amount of untenanted land in Ireland was limited, so great care would have to be exercised in selecting the best and strongest men—strongest meaning with a strong family—to place upon the land, as every man with an uneconomic holding might not be the right one, 25593-8, 25625.—Both migrants from other places and sons of tenants in the neighbourhood should be given land acquired by Congested Districts Board or Estates Commissioners, 25599.—If both could not be satisfied, suitable heads of families should be given the preference, 25602.—In placing tenants from uneconomic holdings on untenanted lands, preference should be given to heads of families, first supplying those adjacent through a system of enlarging or by migration, 25649, 25721, 25735.—Claim of a son should come in when he contributed to working out the scheme of migration, where the giving up of the father's holding would help to supply the wants of four or five small holders, 25722-3.

In Castlerea Union there were some of the poorest inland districts to be found in the West of Ireland, but all were not scheduled, 25608.—Grass land was outside the scheduled area, 25610.—In grass lands there were small spots of congestion occupied by farmers, 25611-2.—Scheduled districts in Roscommon were misleading, because some large farms brought up the average; small holders' land was not sufficiently good to leave in grass, 25613-6.—People who lived in congested spots in non-scheduled areas had a prior claim to help and ought to be supplied with land in any scheme of migration, 25617.—In Roscommon the number of small holdings of from £2

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FITZGIBBON, Mr. J.—*continued.*

to £5 valuation in the non-scheduled areas far exceeded the number in the scheduled areas, 25618.—If grazing lands were bought in non-scheduled area these people would have a prior claim to them, because of their proximity and of their actual necessity, 25618, 25620.—There was sufficient untenanted land in Ireland to settle the congested problem, 25621-2.—Reasons for this statement were, first, thousands of holdings in the West of Ireland might be made economic by a good system of drainage; secondly, non-residential untenanted farms now used for grazing could be used; thirdly, large residential holdings could be carved down, especially those that were being allowed to deteriorate, 25623-4.—One qualification of an applicant should be that he was an industrious, temperate, thrifty man, 25626, 25677-8.—Witness was strong on the temperance question, and generally threw it in as a qualification, 25678.—Another qualification was that he should be a good farmer; if it were known that these qualifications were essential a spirit of industry would be created, 25627.—The farm from which he was taken would show whether a man was industrious and temperate; capital would be required either in money or sons who could help, 25628, 25632, 25680.—Minimum acreage of farm might be thirty acres, 25681.—People in the West of Ireland who were thrifty, sober, and industrious should be removed if the desire existed, 25634, 25636.—Men with large holdings in congested districts ought to be induced to move, in order that small holdings might be improved, 25636.—If farm of equal size were offered elsewhere and an additional farm for his eldest son such an inducement would probably be accepted, 25637.—The land he left would be most useful to the locality, and he would probably work his new farm well, 25638-25640.

In County Roscommon there were over 100,000 acres of untenanted land, 25642.—Much was bog and rock land, but the people were on the rocks and the cattle on the plains, 25643.—Amount of untenanted land was no guide to amount of land available for settlement of small holders, especially in Mayo, or in any county where there was heather, bog, or bad land; amount of good land must be the basis, 25645.—Holdings of those who migrated would make economic holdings for those who remained, 25646.—Mr. Finucane's scheme included, in addition to untenanted land and non residential holdings, curtailment of demesnes and of residential holdings not worked by the occupier. By the time all these classes were dealt with the problem would be satisfactorily solved and industries would have received such a stimulus that all would have ways of getting a living, 25649.

A non-residential holding meant a holding upon which the farmer did not live, but used only as grazing land, 25651.—An agricultural holding meant a farm which had a reasonable proportion under tillage, 25652.—If a farmer had two farms of 100 acres each bought under the Land Acts, but lived on one, while keeping both as grazing land, witness would define one as residential and the other as non-residential, 25654-25660.—If a shanty were built on the second farm for son to live on, it would depend on how he worked the farm whether it could be called residential, 25657-62, 25667.—Non-residential holdings should first be broken up to see how far they would go when divided among congests, 25663.—Great care would have to be observed in order to avoid evasion of the law; a tribunal would have to be appointed to discern between what was a genuine residential farm and what was not, 25664-5.—Rules should be laid down, as that was safer than leaving it to the discretion of the tribunal, 25666.

Mixed farming—tillage and grazing—was the proper kind of farming to adopt in Ireland; pasture land should be taxed and premiums offered for tillage, 25668-9.—It was a strong order for the State to dictate to any body of people, 25670.—But if the business principle were sound it might be done; on that principle England had instituted war against South Africa, 25671-25671a.—In the Irish Parliament the rule was that the man who tilled was not taxed as much as the man who did not till, and then Ireland was more prosperous than now, 25672-3.—Lands in Roscommon were deteriorating fast for want of cultivation, but in Ratheroghan about 1,000 acres were in the hands of the Congested Districts Board; this was green, fertile land, very different from the rest in those parts; the reason was that these particular spots were tilled from time to time, while the rest had not been broken up for sixty or seventy years, 25675a, 25676.

FITZGIBBON, Mr. J.—*continued.*

Mr. Parnell's opinion had been that a man should pay £20 a year for twenty Irish acres; witness agreed with that, 25682-3.—£10 valuation might be taken as a rough standard of division; generally speaking, holdings below that were uneconomic and ought to be added to, 25689-91.—In Roscommon there was more untenanted land than appeared from the return, as untenanted land was put down as land in landlords' possession and set on the eleven months' system, 25693.—Untenanted land in Roscommon was, roughly speaking, sufficient to relieve congestion in Roscommon, 25696.—Probably 10,000 cases would have to be relieved; 5,000 would be migrated, leaving 5,000 to be relieved by 50,000 acres, 25697-8.—Though after deducting bog, mountain, and other land valued under 2s. 6d. there were only 47,000 acres available, leaving land short by 3,000 acres, 25699-25702.—But that would just about relieve Roscommon, 25703.

The estates dealt with in Roscommon by Estates Commissioners and Congested Districts Board were the O'Grady, Young, Balfe, Irwin, O'Conor Don, M'Diarmuid, and Mrs. Clancy estates, 25707.—Not many new holdings had been formed as yet; Estates Commissioners had selected their tenants about equally from sons of tenants and migrants from congested districts, but Congested Districts Board had not done much, 25708-9.—About 100 holdings had been dealt with, 25711.—It was much easier to divide grass land among migrants who came to it than to re-arrange holdings of those left behind, 25712-25716.—Congested Districts Board was only supposed to give land to persons from congested areas, and that prevented Board from doing its work as well as it otherwise would, 25718.—Witness advocated leaving some estates adjoining uneconomic holdings alone until Bill was amended, so that they might be assisted, whether in congested district or not, 25719-20.—Congested Districts Board was concerned with providing larger holdings where present ones were too small, so that migration of sons did not come directly before them, 25725-6.—The only new men to receive new holdings before surrendering the old holdings were herds, 25727.—Congested Districts Board worked admirably, and did not part with estates until they had improved them as much as possible. Estates Commissioners estimated amount of money necessary to expend on estate, and stopped when that was exhausted, even though slight extra expense might greatly improve the estate, 25729.—Board's method was unquestionably the right one, 25730.—They were not responsible for delays; there was a great deal of unavoidable red tape, 25732.

When migrants were settled a practical resident agricultural instructor ought to be placed in the centre of 400 or 500 new holdings created on untenanted land, with two labourers to assist him to cultivate a twenty-five acre holding, working with mixed farming according to advice of Agricultural Department or Congested Districts Board or County Committee, to show people how to till land and work it properly; instruction by lectures did not answer the purpose, as many small farmers were not intelligent enough to understand and carry out instructions, 25733.

If special precautions were not taken ultimately a great deal of land would pass into the hands of the sons of tenants rather than be held up for the relief of congestion, 25735.—Men should be moved from the bigger holdings in congested areas on to the grass lands; the small people were afraid of higher rents, 25738.—The desire for migration to grass lands was increasing, 25739.—The grass lands should be preserved for the poor of the congested areas, who might be willing to migrate to them, 25740-1.—This might be done by the public authority charged with relieving congestion trying to acquire in advance these tracts of land, 25742.—Meanwhile the lands were useful, as they allowed people to till their own land while grazing their cattle on them, and people who heard they were to be granted would have an acquaintance with them, 25741-3.—Delay would also enable Board to make a selection among their candidates, as the number offering would be larger and of a better class, 25744-7.

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FITZGIBBON, Mr. J.—*continued.*

One great obstacle in the way of migration was the want of turbary; this could be met by having peat industries, 25748-50.—A load of 25 cwt. of compressed peat could be drawn by one country horse, and that would answer the same purpose as five loads of peat, 25790.—Another objection was the parting with old associations, but that could be met by transplanting people from one neighbourhood to the same locality as far as possible, 25750.

The incoming of the migrants was sometimes objected to by the people of the neighbourhood, but was usually the result of want of tact and judgment, *e.g.*, men on the Rashleigh estate were asked if they would take holdings on the Balfe estate and leave their own; they went down to see the estate without any introduction, and the people told them to mind their own business; witness contended that people much nearer the Balfe estate, of the same class, ought first to be provided for, 25751.—People of the same class in a district ought not to be treated worse than migrants from a distance, 25752.—Congested Districts Board wanted further powers to take people of a poor class, who ought to be scheduled as congested, and include them as congested, 25755.—Non-residential grazing farms should be acquired for the purpose of relieving congestion and treated in the same way as land let on the eleven months' system, 25756-7.—Distinction should be drawn between one sort of non-residential farm upon which a man depended for a livelihood and another non-residential farm owned by a man who worked his own home farm, which was ample for the needs of his livelihood, 25757.—There should be no hard and fast rule, as discrimination was very difficult, 25758-60.—Witness did not think it would be a hardship to take away farms from men who lived in the towns, and who had farms at some distance not worked as mixed farms; they ought to pass to men who would increase the country's wealth, 25761.—Holders of large grazing farms were putting up buildings upon their non-residential grazing farms as a precautionary measure, 25762-4.

Two authorities in the country dealing with the land was not the best method, 25764.—The province of Connaught should be dealt with by one body, 25765.—If the work were handed over to the Congested Districts Board that body ought to enjoy the same powers as the Estates Commissioners, 25766.—The Congested Districts Board, from a business point of view, were the men of experience, and did their work excellently; they might be strengthened by having at least one man from each county on the Board, and in that way make the settlement of Connaught a national one, 25767.—Members might be either elected or nominated, 25792-3.—Witness advocated handing over Connaught to the Congested Districts Board and the other three provinces to the Estates Commissioners, as the Board would have as much as they could manage in Connaught, 25768-70.—Congested portions of Donegal and Kerry could be worked by Estates Commissioners, 25769-70.—Schemes of migration from other Connaught counties into Roscommon should not be tried, as, if things were to work well due regard must be paid to the sentiments of the people, 25771-2.—If the available grass land in Roscommon were handed over to migrants from other counties it would mean that congestion in Roscommon was not relieved, but occupiers of uneconomic holdings would have to be migrated elsewhere, 25773-5.—There was only enough land in Roscommon to look after Roscommon congestion, 25776.

Congested Districts Board had refused to consider purchase of Begley property, because they had had trouble with their tenants about migrants, which seemed imprudent of them, 25779-80.—Migration and the work of the Board had to be carried out with the co-operation of the people, and friction should be avoided as much as possible, 25781.—Witness was in favour of compulsion, 25783.—Migrating a few large tenants was more economical than a larger number of small ones, 25786.—In Mr. Doran's report of 117 cases of migration only seven or eight were from holdings beyond £10 valuation, which showed that the big graziers were not migrating, 25787.—The reason probably was that the inducements offered by the Board were not presented to the larger tenants, 25788.—Professor Campbell's statement that the Irish peasant wished to escape from the land was the statement of a Scotchman who did not understand the conditions, 25789.

FITZGIBBON, Mr. J.—*continued.*

Witness did not agree with evidence given that it was not advisable to break up the very best lands, 25799.—Ireland had gone to decay through not being permitted to carve her own joint; three large and substantial joints necessary; number one joint consisted of all untenanted land in landlord's hands, known as land let on eleven months' system; number two joint comprised all non-residential holdings over £25 valuation, purchased under Act of 1903 or previous Acts, or that were held in fee-simple; number three joint consisted of large grass tracts attached to demesnes and used as grazing farms, land left to owner of mansion being curtailed to what might be considered the demesne proper; demesnes belonging to absentee landlords should also be curtailed; large residential holdings hitherto used for grazing purposes might be cut down to valuation of £100; each county should then be served with as much of the three joints as it contributed, resources of the county being exhausted before transfer of migrants from one county to another; great reluctance of peasant to leave native county; less objection to migrants by people in bordering counties when it was understood that nothing was left for migrant in own county; facilities should be afforded for reclamation of waste lands; reservation by the State for planting purposes proposed where found unsuitable for tillage; scheme suggested should be applied, not only to Connaught, but to the other provinces if a final settlement were desired; Ireland rich in resources if development was permitted; desirable to get rid of the idlers and to give the workers a chance; expense of carrying out scheme was the difficulty; landlords had hitherto had the whole of the advantage, with exception of £200,000 for the tenants evicted since 1879; Mr. Boyd's proposal to pay the same in the case of encumbered and unencumbered estates would raise landlord's net income to 5 or 6 per cent., instead of 3½ per cent.; reasonable to form an auxiliary fund for re-settlement out of the differences between 3½ per cent. and the saving in reduction of mortgages, 25805-7, 25810, 25830, 25834.—Tenants would pay the same price whether estates were encumbered or unencumbered, 25808-9, 25811, 25833.—In calculating landlord's net income the sums paid in mortgages ought to be first deducted, so that at the end of the transaction the landlord would be in receipt of cash which, if invested at 3½ per cent., would leave him exactly the same income that he had before; assuming that the mortgages were 5 or 6 per cent., the income of an encumbered estate would not capitalise at the same amount as the estate of the unencumbered landlord; under existing system capitalisation took place upon the gross amount, and encumbered estates were not inquired into; inquiry necessary in view of a compulsory scheme; one system should be applicable both to voluntary and compulsory sales, 25812-32.

No danger of monotony in size of holdings under witness's scheme of taking non-residential holdings of over £25 valuation, 25833-6.—Tillage farms should be excluded from operation of compulsory purchase in cases where 20 per cent. of total area was worked as tillage, 25836-40.

Compulsory purchase should be extended to tenant purchasers under the Act of 1903, 25841-2.—Many tenants signed agreements out of court and obtained false qualifications for purchase under the Ashbourne Act; a tenant-right had been created which was never contemplated either by the Act of 1881 or by any of the Purchase Acts, 25843-4.—Difficulty of dealing with the lands increased; necessary to buy interest of a man who was in possession of the farm without paying for it, and also to pay off amount that farm was sold at, 25845.—Witness was speaking of tenanted land; compulsion would probably be needed in cases where the double interest existed, 25845-6.—Same thing applied in many instances to tenant purchaser under Act of 1903, and therefore he should be also subjected to compulsory purchase, 25847-9.—No breach of Parliamentary faith in breaking of covenant, which never ought to have been made; compensation proposed by purchase of tenant-right which had been created and which did not previously exist, 25850-867.—Authority to settle amount of compensation would probably be appointed by the State, 25855-7.

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FITZGIBBON, Mr. J.—*continued.*

—Questionable whether Land Commission should accept agreement settled out of court as coming within provisions of Act as to fixing of fair rents, 25865.

More land fetching twenty years' purchase sold under the Ashbourne Act than of the poorer land; avoidance of tenants who would not give more than fourteen or fifteen years' purchase, 25865-6.—Advantage to tenants as well as to landlords, 25868-9.—Purchase of land by men to whom the Ashbourne Act was never intended to apply, such as the O'Conor Don, 25869.—Effect of the Act was to introduce the class of tenant to which objection was taken, 25870-3.—Land sold under the Ashbourne Act at twenty years' purchase was cheaper than the class of land for which tenants were willing to pay eighteen years' purchase, tactics of leading off with a very high price adopted, twenty years' purchase gladly given on hearing that Kildare was giving twenty-five to twenty-seven years' purchase, 25874-5.—Witness agreed with Mr. Parnell's opinion on the sort of land requisite to carry out a migration scheme, land worth £1 an acre as rent, or £17 an acre at seventeen years' purchase, twenty years' purchase being required under compulsory expropriation, 25876-7.—Carlow and Roscommon were very different counties, great number of agriculturists in Carlow, but that was not the class of tenant to which witness was referring, 25877A-9.

Compulsory purchase should be applied to grass land in cases where negotiations could not be otherwise carried out, 25880.—There was a difference of opinion as to whether it should be applied to fattening land as well as to store cattle land; Professor Campbell's opinion that no class of land was too good for tillage, 25881.—Meath graziers' opinion in favour of a system of mixed farming of the future, 25882.—Good cattle to be found on good land and poor cattle on poor land, plenty of poor land in Connaught; necessary to send cattle to Meath to be fattened, 25883-5.

If all the fattening lands were taken away, cattle could be fattened at home; small farmers not able to do so at present, but no reason why they should not; proposed in Mr. Doran's scheme that farm stations for demonstrating how cattle could be stall-fed in winter should be placed in centres among 400 or 500 farms of twenty-five, thirty, and fifty-acre class, 25885-86A.—The people had always been on bad land and the cattle on the plains, but if the people were placed on good land the difference would soon be visible; in village near Castlerea with holdings from nine to twenty acres on good land, prosperity of people visible, 25887-8.—Witness thought that good land could be profitably broken up, 25889.—Not much untenanted land in Roscommon which was too poor to be broken up, although most of it was suitable for cattle and sheep, 25890-2.—Large amount of land in Roscommon which had hitherto been flooded but which soon would be productive land owing to drainage operations of Congested Districts Board, 25892.

No land in Roscommon to witness's knowledge that was suitable for sheep only, but there was a class of land with very little soil and with a stiff clay at the bottom, 25891.—Good deal of land in Roscommon held under grass; quantity of grass land coming into market, purchasers under Act of 1903 selling their interest, farm of 250 acres of grass to be offered for sale by auction, 25893.—Owner died, but Act of 1903 gave perfect freedom to an annuity payer to sell farm by auction, farm sold subject to the annuity, 25893-8.—No opportunity should be lost by the State of securing land brought into the market; evil of not making provision for purchase illustrated by sale of a farm of about 150 statute acres; small holders round the farm had had it as an accommodation farm; farm lost to the people by deceit practised at auction sale, brother of widow of owner acting as agent for a butcher at Ballinasloe, disturbances followed, resulting in prosecutions, but no conviction, 25893, 25898-904, 25976-9.—Price at which the farm was actually sold, 25905.—Farm held under tenure created by the Ashbourne Act, annuity payable was about £60, but a considerable amount had been paid off; advance by the State was possibly £1 500, purchase having been made about ten years ago, 25906-16.—Farm was of greater value at time of sale than when bought, but value of untenanted land had not increased, farm in question was one of the best in County of Roscommon, 25917-26.

Estates Commissioners and Congested Districts Board ought to be provided with funds for purchase of land, instance of sale of a farm of 300 acres which witness was obliged to purchase for £3,700 to prevent lands passing into unfriendly hands; witness sold farm to Estates Commissioners and received 3½ per cent. on the money advanced, no loss, but no gain, on transaction, 25926A-33, 25935-8.—Nine families were settled on the farm with about twenty Irish acres each, 25934.—Tenants were sons of tenant-farmers whose holdings did not exceed £5 valuation, exactly the class of men to be planted where new men were required, 25938.—Reluctance of people to leave their own homes was extraordinary, 25939.—Financial position of all small holders: all had savings, the lowest being £50, one man was married and had lived on less than an acre, wife kept fowls, and they had a couple of cows, and grazed them on the grazing land adjoining their holding, 25941-7.

New holdings were made of different sizes according to quality of land, Estates Commissioners divided the holdings, but witness selected the tenants, 25948-9.—Witness bought farm for less than Estates Commissioners were prepared to give, and was anxious that it should be sold at their previous figure, but they simply took over estate at such an amount as enabled them to lay out £200 for making of a new road, and to give £30 each to the tenants to assist in building of houses and erection of fences, 25950.—Estate was bought in July, 1906, and was taken over from witness in February, 1907, 25951-6.—Houses were not put up yet, tenants were engaged in making fences, 25957.—They lived two or three miles away in a congested village near Donamon, 25958.—All unmarried except one, but they had brothers able to help, 25959-60.

The £30 grant would represent a house worth £100; Estates Commissioners satisfied with good thatched houses, 25962-3.

The tenants would be able to marry wives with fortunes of £150 or £200 each, 25961.—They were returned Americans who brought back savings, 25965-8.—Witness would like to stop the going to America and prevent the dreadful scenes at railway stations if the land was good and redistributed among the people the daughters could be provided with marriage portions without going abroad, 25971-3.—Widower looking out for a wife during the Roscommon marrying season told witness he would rather have a "home-made" girl, 25973-5.—Inquiries into deposits in savings banks would show that the money had been largely earned abroad, 25980.

Compulsory powers were often required in cases of tenanted land, and were as essential as in purchase of untenanted land; witness knew of three poor estates in Castlerea Union which ought to be treated simultaneously with others purchased in same neighbourhood, if not, drainage on both sets of estates would have to be left undone or else Congested Districts Board would be obliged to drain the estate which had not been purchased, 25980.—The three estates were the Brabazon, Wills-Sandford, and the Worthington, 25980.—The estates mentioned were unpurchased and were in scheduled areas; possibly if landlords were now approached they might realise that it was desirable to sell; there were also several other small estates unpurchased, 25981.—No landlord in Ireland had absolutely refused to sell, it was a question of price; before deciding that compulsion was necessary, it ought to be possible to show that price asked was so prohibitive that it amounted to a refusal to sell; compulsion could then be applied, and the price fixed could be the same as that fixed for a similar class of estates, 25982-4, 26016.

Over two years ago tenants desired to buy the Wills-Sandford estate through the Congested Districts Board, 25985-7.—Mr. Wills-Sandford asked Congested Districts Board whether they would buy an estate, later he stated his price as representing his net income, and gave permission to inspect the estate if it was first purchased, but not otherwise, 25988-97.—Witness advised tenants to go into Land Courts

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FITZGIBBON, Mr. J.—*continued.*

and get their rents reduced, which they did, so that existing net income did not correspond to net income on which he wanted to sell his estate, 25998-9.—Witness did not know whether Mr. Wills-Sandford had been asked to show his estate books or state his net income, 26000-4.—Part of witness's information had been obtained from a statement by the member for the division at a public meeting, he had also seen a copy of Mr. Wills-Sandford's letter to Congested Districts Board, 26005-6.—Price asked for Sandford estate was twenty-one and a half years' purchase on existing rents, only the portion of the estate in which Mr. Wills-Sandford had a life interest was concerned, 26007.—No sale of the estate had taken place, 26008.

Only way in which net income could be ascertained was by an examination of the estate books, negotiations would be in an advanced stage if that were done, but witness was not acquainted with the formalities between vendors and Congested Districts Board, 26009-13.—Land purchase would be considerably expedited if landlords were willing to submit estate books in connection with negotiations; tenants would be willing to satisfy reasonable demands, 26014-5.—Witness was not aware that the Land Conference defined net income as second term rents or its equivalent less 10 per cent. reduction, without reference to estate books, 26022-3.

No landlord had absolutely refused to sell property, but the remark did not apply to untenanted grazing land, 26016-9.—Attempts made by some landlords to divide untenanted grazing land prior to approaching Estates Commissioners or Congested Districts Board, practice of selling ten or fifteen acre-holdings to highest bidder ought to be discountenanced, 26020.—Best procedure was to sell untenanted portion and unoccupied portion as one transaction, 26021.

Strong recommendation to Estates Commissioners and Congested Districts Board to secure all untenanted land offered at a reasonable price, 26025, 26103, 26106.—Most desirable farm of 700 or 800 acres within two miles of Castlerea, negotiations stopped pending Report of Commission, in order to see who was going to be uppermost; the Government agency was responsible for the rupture of negotiations, but the land ought to be obtained, easy to settle afterwards who was to deal with it, 26025-34.

If Congested Districts Board were compelled to buy large tracts of untenanted land and were to hold it for five or ten years, it could be usefully employed and the people would show no great discontent, knowing that the land would eventually be theirs, 26034-8.—The people would not be contented if the lands were held for the avowed purpose of putting on them migrants from other counties, 26039.—Claims of Roscommon people should be first considered, but if there were not a sufficient number of migrants in Roscommon there would be objections to migrants from other counties setting aside claims of sons of tenants, 26042-3.—Congested Districts Board would not have the land in their hands for anything like ten years; once the class of people in Roscommon who ought to be helped to the land had been provided for, objection to migration from other counties would be removed, 26053.

If Congested Districts Board were strengthened and made a national body rather than a local one, all objections could be got over, in the interests of the tenants whom it was desired to serve, 26054.—Desirable to hold part of the land for a certain number of years, planting would go on from time to time after claims of local people had been considered, 26056-60.—Admission that the land would have to be held in Roscommon did not imply that there was an insufficient number of congests; not enough machinery to carve up entire county of Roscommon all at once, 26061-3.—Question of what was to be done with the land held for several years would be best left to the body entrusted with the entire solving of the question; a certain amount of discretionary power would be necessary, 26066-71.—More popular for Congested Districts Board to divide land amongst sons of tenants than to hold it until suitable migrants were found; probably Congested Districts Board would have to run counter to strong feeling in the district if they pursued any other policy, 26072-74.—Also a question which would be better left to the body who was to carry out the scheme; witness desired that

FITZGIBBON, Mr. J.—*continued.*

Ireland should be allowed to carve her own joints, but he had said as much as was prudent at existing stage in working out of problem, 26074-8.—No land in Roscommon should be given to anybody outside until it was certain that there was no son of a tenant or migrant who wanted the land, 26079-80.—First, the suitable heads of families should be satisfied, but witness was not prepared to go into particulars of what should be done next, 26082-7.—There would possibly be some surplus land for division in Roscommon after satisfying suitable congests, any amount of unreclaimed land which tenants would be glad to convert into economic holdings; considerable feeling against migration, 26088-9.—Means of mitigating the feeling by placing responsibility upon several men in each county, selected by the Council, but not necessarily members; strong man in his own locality would be a suitable person, 26081, 26090-2.—There should not be any difference between one county and another, but people in one parish would sometimes object even to migrants from another parish; settlement of unit for migration should be left to the authority, 26093-9.—Sons of large farmers were not included in the description "sons of tenants," 26100-2.—Witness had already outlined the machinery to be applied to lands acquired with State money, but was not prepared to indicate exact methods, 26104-12.

Relief of congestion was only part of the problem; the great question in Ireland was the cultivation of lands at present not thoroughly worked, and creation of a peasantry on plains from which forefathers were evicted, 26113, 26134.—Great care should be exercised in selecting a suitable class of men, and, other things being equal, heads of families should first be relieved, 26113-4.—Migrants from Donegal would never come to Roscommon, so witness felt safe in not making any objection; there might be objection to migrants from Galway or Mayo, but it could be overcome, 26115-7.

Negotiations called the Kilmainham Treaty ended in release of prisoners through an arrangement to have Arrears Act of 1882 brought in; other negotiations took place between witness and a large land agent of Radical-Tory type belonging to County Roscommon; to him and to Mr. Crosbie belonged the credit for conceiving the idea of the Land Conference in 1902; Land Conference would never have taken place but for Lord Dudley's idea that Ireland should be governed according to Irish ideas, and Sir Antony MacDonnell's appointment, 26121.—If Mr. Wyndham was also entitled to a share of the credit, witness would gladly concede it, 26122-3.—Witness represented not only interests of tenant-farmers, but everyone belonging to his organisation, in proposing the scheme in restoring the land to the people; Mr. Boyd represented a narrow-minded remnant that was daily getting smaller; witness's advice to them was to throw in their lot with the rest, and take a share in creating their country's prosperity, 26123.

Existing Commission was a fair sample of England's best disposition towards Ireland, appointed for the purpose of finding out what was wrong, 26123, 26178.—Sir John Colomb had probably been selected for his moderating influence, and Mr. Bryce was very anxious to befriend Ireland, 26123.—Existing population of Ireland a little more than four millions, and present conditions might be attributed to loss of more than half the population, and that half to a great extent the manhood of the country; only means of reversing the process was by selecting the best men and planting them on fertile soil, 26124.—Sir Antony MacDonnell was most anxious to serve his country, but his long absence had placed him under considerable disadvantage, his Indian experience rendering it difficult for him to adapt his ideas to the circumstances of his own country, 26124-5, 26380.

Any good in the laws made for Ireland was generally lost in administration, 26126, 26178.—There were men in Ireland who had made statements before the Commission to which witness took exception; Sir Horace Plunkett, who had advised caution, was an able, nice gentleman, well-meaning, but a good deal out of the country; ability and education were not necessary for the understanding of the question; witness had been selected to give evidence because he had been through the whole campaign, from 1879 up to the present, and understood the question thoroughly, 26126.

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Every holder of an uneconomic holding was not suitable for successful working of a farm in new country; about one in five would be the proportion for some time; the remaining four might be divided into two classes—two who do not wish to leave their holdings, and two who would probably be a failure if transplanted, such as an old couple whose children were settled elsewhere; the strongest should be the one to be transplanted, and his holding could be divided among the four left; the condition of the one would be materially improved and of the four improved somewhat; the four holdings could be rendered economic by adding the reclaimed land adjoining, 26134-8.

Witness had given evidence before the Commission on Distress for Want of Employment, in reference to the numbers who yearly left Castlerea Union in order to seek employment in England, 26139-42.—Statistics given referred to 1895: 885 labourers, 20 holders of land of 5 acres, 87 holders of 10 acres, 56 holders of 15 acres, 24 holders of 20 acres, 5 holders of 25 acres, 6 holders of 30 acres, and 4 holders of 40 acres; total of 1,087 males leaving Castlerea Union; 283 belonging to Mayo, but in Castlerea Union, also left Castlerea Station, 26142.—Figures were taken from Parliamentary Returns for 1895, 26142.—In many cases people were too poor to pay travelling expenses to England; obliged to pawn coats, and to depend on shopkeepers to give their families credit until they could send help from England; not always successful in finding employment in England; a bad season meant great loss and disappointment; poverty caused by want of sufficient employment at home and from want of any employment, 26142. In the case of holders of 40 acres, 3' of those would be unreclaimed land; poverty was chronic owing to poverty of soil, small size of holdings, and excess of population over what the land could bear; also to want of employment, 26142.—Employment might be provided by Congested Districts Board, 26142.—Congested Districts Board very useful; unfortunately powers were very limited; suggestion that power should be enlarged and area of operations extended; Board should especially devote itself to reclamation and drainage of waste land, 26142.—Migration Department of the Board had been so successful that witness advocated a large extension of its operations, transfer of people from districts where land was inferior and holdings were small to the large unpopulated districts; for instance, in case of 20 tenants with five acres each, if ten tenants were transferred and five acres each added to the other acres, condition of the people would be improved; purchase of pasture land by Congested Districts Board whenever offered, proposed and sale in fifteen-acre lots to industrious tenants, 26142.—Where tenants were located on good ground there was rarely such poverty as where the land was poor and the rents small. Working of the Ffrench Estate had been very successful; holdings were increased and in some cases tenants were transferred, 26142.—Statistics of migration given relating to Castlerea Union were not only applicable to neighbouring unions, but the figures were in some cases larger. Migrants when at home cultivated their own little holdings; they had practically nothing to do; if it were possible to get only half the wages at home they would not go to England; idleness was practically compulsory, holdings too small to permit of continual employment, and capital was small. Women often cultivated the holdings while the men were in England. Labour of migrants to Esgland mostly confined to agricultural operations; there might be isolated cases of employment at gas-works or docks, but it was rare. Very small proportion of men stayed behind when it was time to return home—possibly one in three, 26142.—There was no particular means of conveying information that work was obtainable; sometimes farmers in England wrote or sent travelling expenses, but in most cases the men simply risked it; vastly preferable to keep the men at home, but if they must go elsewhere to seek employment reliable information would be useful, 26142.

Witness was aware that Connemara men were not suitable for migration, 26143.—They had not been accustomed to work agricultural holdings, 26170-4.—If the fishing could not be improved it would be desirable to try and create an industry, 26144.—Hosiery industry had been most successful, one factory in Newtownards began with eight, and now had 500 employees, 26144.—Secret of success was to get hold of the right man, no use without, 26146-7.—Flimsy excuse for not starting industries to say that animosity would be aroused against enterprises started with State capital, 26148-52.—Witness did not believe in State-aided industries, and would rather that Ireland was allowed to rest on her own resources, 26152.—Industries should be started if the one man could be found, and if he found that capital was necessary then the State might make an advance, but it would not do for the State to work the business itself, 26154-61.—Prosperous industries existing by means of private capital should not be interfered with; State aid warrantable only in absence of such industries or where there was no chance of injurious competition; not much danger, very often there were not the best men in a State-aided factory, 26162-9.

Test of suitability for migration was sobriety, industry, thrift, and capability, 26173-4.—Ireland was entitled to carve her joints according to her own views; if it was done according to English views, it would unquestionably make hash of them, 26178, 26259-60.—Finding of Commission would be a half measure, due to the fact of having timorous men on the Commission; question required to be settled by capable men, and certain members of the Commission were trying to have an incapable body appointed, 26180-2.—Necessity of providing the three joints already detailed by witness; the parting between present owners and their lands would be sad, but not so sad as the partings at railway stations between emigrants and their parents; if there was to be a row, better to have it at once instead of keeping it simmering for the next twenty-seven years as it had been since the Act of 1881, 26184-6.

Witness's views with regard to migration were exactly the same as they had been 11 years previously, his evidence given before the Commission was similar to that given before the Commission on Distress from Want of Employment, 26191-5.—Not desirable to have an amalgamation of the Estates Commissioners and Congested Districts Board, they should do the same work but not in the same provinces, and the work ought not to overlap, 26196.—If uniformity of price was to be the rule, it was necessary for one body to deal with one district; Estates Commissioners purchased the Balfe estate, and Congested Districts Board bought adjoining estate at a lower price; tenants on Balfe estate got better value than on the other estate, the rents were less than the others, 26118.—Also at Ballinagar, two adjoining estates had been bought by the two bodies, and there was the same difference in price as between prices paid for the Clancy and Balfe estates, value of land to be offered by Congested Districts Board being much the better, 26198.

Donegal, Cork, and Kerry were not in Connaught, but they were Connaught counties for the purpose of defining the congested area, 26200-3.—Congested Districts Board should have the same powers and privileges in dealing with land as the Estates Commissioners, such as the privilege of dealing with evicted tenants; friction had occurred between the two bodies over the grants to evicted tenants on the De Freyne estate, 26203-6.—Connaught counties and other congested counties should be worked exclusively by the Congested Districts Board, the Estates Commissioners doing similar work in the other three provinces, 26207.—Congested Districts Board should retain purchase powers over all the scheduled areas in Connaught, and also over all the non-scheduled part of any county within which there were scheduled areas, 26209-12.—Congested Districts Board should do the entire work in Connaught and Donegal, and leave Kerry and Cork to the Estates Commissioners, 26214-7, 26229.—Witness was not prepared to say how the congests in Donegal, Cork, Kerry, and Clare were to be dealt with, 26218-23, 26227-8.—Congested Districts Board and Estates Commissioners should have similar powers in dealing with congestion, 26230-3.—Witness did not suggest uniformity of treatment

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FITZGIBBON, Mr. J.—*continued.*

in Connaught, Cork, and Kerry, he would deal with circumstances according to requirements, 26235.

The three Departments, Congested Districts Board, Estates Commissioners, and Department of Agriculture, should have a common meeting place and be at each others' disposal in the way of information, and supply of surplus land, 26208, 26236.

Meeting place of Congested Districts Board might from time to time be in the counties where they were operating, lack of continuous supervision placed direction of the machinery in the hands of officials of the Board, 26238-43.—There were some members of Congested Districts Board who had never seen a congested district, one at any rate who had only taken a motor tour; everyone had confidence in the Board so long as Mr. Doran took part, he was capable and sympathetic, and had lived all his life among the class of people it was desired to help, 26244-50. Continuous supervision was most essential; greater supervision and increased funds would be needed under the new arrangement; most imprudent to transfer officials of Congested Districts Board to Estates Commissioners, 26252.—Success of working of Congested Districts Board depended upon its constitution; if Congested Districts Board were done away with at present it would be giving the credit to those who had done the work to those who came in at the twelfth hour; it was necessary to retain men who had the confidence of the people and who could put down any trouble or friction, 26253.—United Irish League was decidedly in favour of retention of Congested Districts Board, 26254, 26259.—Witness's scheme would require more constant attention upon part of Board than was at present given, one day a week was sufficient, present satisfactory constitution of Board might not always exist, but there were plenty of the same class of men in reserve, 26255-7.—Nothing had happened in relation to transactions of Congested Districts Board that would justify Parliament in objecting to its retention or to possession of such great powers by an irresponsible body, 26258.

Department of Agriculture ought to be in every province at the initial stages of the new homes, the Department had not done exactly the same class of work as Congested Districts Board, but it ought to have a certain amount of work laid out for itself, 26261-2, 26264.—Witness was in favour of principle of the Department, but was not satisfied with sentiment of individual members; Sir H. Plunkett was a little sensitive, and Professor Campbell said things incautiously, 26263.

Desirability of assisting town tenants connected with rural districts to acquire their houses and plots, the State taking the precaution that their advances were properly secured, 26266-73.

One cause why migrants were reluctant to move from districts where there was plenty of fuel was that in other districts fuel was scarce; establishment of compressed peat industry, proposed so that one load would be equivalent to five loads of uncompressed peat, 26274, 26285-7.—Congested Districts Board were considering the matter, and were simply waiting for the latest invention; industry had already passed beyond the experimental stage, witness understood it was working in Maryborough, 26275-82.—Another objection to removing was the high price of land in non-congested districts, the smaller the amount of land the new tenant gave up the higher the rent of the new holding, 26282.

Compressed peat industry ought to be carried out in all its details; Congested Districts Board could retain a certain amount of turbary and start an industry to supply compressed peat to estates on which there was no turbary, 26283-4, 26288-9, 26293.—Compressed peat sold at about 10*s* a ton, industry would pay, and it would supply a want where fuel was scarce, trade contemplated for local purposes, but any surplus might be exported, 26290-2.

Two useful purposes would be served, fuel would be supplied where it was scarce, and employment would be given; surplus land, after meeting requirements of tenants, varied on the various estates, Congested Districts Board were buying all the bogs they could, 26293-5.—Profit of industry should be earmarked for local expenditure if necessary, and should be dealt with by Congested Districts Board, 26298.

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Congested Districts Board ought to initiate industries for people in position described if there were not much risk of loss, 26296-7.

Absence of turbary was an obstacle which prevented desirable tenants removing from congested districts, establishment of peat compressing industry would be an inducement, 26299-301.

Areas otherwise suitable for purchase need not be rejected on account of distance of turbary; witness knew of prosperous small holdings, comfort due to good land, although tenants had to travel four or five miles for the turbary, 26301.

Value of land for grazing purposes was the same whether near a turf bog or not, not as valuable to the small farmer on area distant from turf, 26303.

Willingness to migrate was increasing very much, Board was keeping the people back in order to have the pick of the tenants, 26303.—Witness was not in favour of compulsory migration; there was a great willingness, but they all looked for the nearest point to that they were proposing to leave, 26305-9.—Suitable migrant on a thirty-acre farm in Roscommon could make it profitable in the following way: the more tillage the better, large tracts of land in Roscommon had not been broken up for 100 years; feeding qualities of the land were under 30 per cent. of what they were thirty years ago, 26310.

By tillage, witness meant growing of feeding stuffs for cattle, 26311.

Ten acres of the farm should be tilled if possible, and produce should be consumed on the farm in feeding cattle, pigs, etc.; farmer should grow his own corn and get as much as he possibly could for his stock and family out of the land, 26312.

Potatoes, turnips, and mangolds could be grown, also wheat where the land was suitable, 26313-4.—Very few farmers in Roscommon grew wheat, witness knew of one successful holding worked on the lines described, 26315.—Fruit might be added to the other crops, but not tobacco, crops grown should be either for farmers' own use or for use of their horses and cattle, 26316-9.—Barley was sometimes grown, generally near distilleries, not of much use in Roscommon, 26320.

Witness's statement that Connemara men should not be migrated was based upon the evidence of those who knew them intimately; if it were possible to find in Connemara men of a suitable class, witness would be quite willing that they should come to Roscommon, and they would be helped if any of the joint was to spare, but witness was not willing that they should have a preference over the sons of tenants in Roscommon, 26323-47.—A certain class of tenants was meant, the sons of men who would facilitate migration by giving up or inducing their fathers to give up their old holding, 26352.—Not possible to lay down hard and fast rules on the question, better to leave it to whatever authority was to carry out the scheme, 26353-5.

Two out of every five holdings at present uneconomic could be made economic by a system of drainage and reclamation, 26358.—Large amount of land in some districts suited for no other purpose than planting trees; it was too poor for tillage, but re-afforestation would provide employment and perhaps change the climate, 26359-60.—Bogland was useful for tillage when drained and reclaimed, but the land described could scarcely be made crop producing, 26360-1.—Proposal was limited to land held by large graziers let at a very low rate, 26365-8.—Large tracts of land of the kind spoken of had already been purchased by Estates Commissioners or Congested Districts Board, witness knew of an area of land in Roscommon which the owner would be glad to sell for any purpose and which would be useful for planting, 26369-74.

Rent of the farm which witness had mentioned as being put up for auction must have been about £100 a year, annuity was about £80, 26376.—Doctrine of the land for the people was a universal gospel, and witness hoped that object of the Commission was finally to settle the question; there was no difficulty to those who knew, but it would not do to rob Peter to pay Paul, as Sir Antony MacDonnell had proposed to do in taking a bit out of Roscommon to give it to Mayo, 26380.—Object of amalgamating Congested Districts Board and Estates Com-

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FITZGIBBON, Mr. J.—*continued.*

missioners was to settle the question quickly, but the question could not be settled in a hurry, it required the greatest care and attention and sympathetic officials were needed.—Congested Districts Board had done well; Estates Commissioners had gone over much more ground, but their work was different, it was simply distributing holdings, 26380.

Difficulty arose with estates like the De Freyne estate, where holdings were held on the rundale system, one field belonging to one man and the next field belonging to a neighbour; work of Congested Districts Board was to place holdings together, improve houses, carry out drainage, etc.; amalgamation with Congested Districts Board and Estates Commissioners at the present juncture would be giving the credit of the Board's work to a new set of men, work of the Board was evidence of what could be done by any Board in Ireland having the confidence of the people; presence of Dr. O'Donnell and Father Denis O'Hara on the Board was of itself sufficient to inspire the people with confidence; co-ordination between the two Departments was necessary, but overlapping was undesirable; with similar powers, each Department should deal with different parts of the country; alteration of constitution of Congested Districts Board would be against the wish of the people for whom it was intended. Caution in dealing out one joint at a time would probably destroy success of scheme outlined by witness, result would be the same as on the Dillon estate, one set of congests would be helped and another set left unhelped. Witness was anxious to keep the young men in the country and to prevent the terrible partings at railway stations between emigrants and their parents, the one hope being that of being able to return soon; witness had a book containing names of men living abroad who had saved money and were anxious to return home, there were also names of those who by thrift and industry at home had accumulated from £100 to £200, these were the men who should be planted on the land. Sole cause for regret in connection with Congested Districts Board was that they had not much greater powers and much more money; if number one joint only was supplied the men would give up all hope of ever getting land; from British point of view desirable to have them for the army or police. Mr. Birrell had gone to Ireland not to teach but to learn, and witness advised the Commission to do the same, 26380.

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Bank of England had only one firm of stockbrokers, 22336.—Highest class of trustee securities were Consols, which stand at 86, yielding £2 18*s.*; other Government Stocks, such as Transvaal 3 per Cent. and Guaranteed 2¾ per Cent. Irish Stock, at about 87; other trustee securities were English Railway Debenture Stocks, yielding 3¼ to 3⅞ per cent., Indian Government and Railway Stocks, and English Railway Stocks, 3½ per cent., also Colonial Stock, 3½ per cent., 22338-9.—Above-mentioned not all first-class, but all allowed under Trustee Act, 22340-2.

No security as good as English Government Stock, 22344.—Colonial Stock included Crown Colony Stock, 22345, which is not absolutely guaranteed, 22345A.

Investments authorised under Section 31 of Act of 1903 included securities not allowed under Trustee Act, 22346, 22348.—Including out-of-the-way Irish securities, such as Baronial Guaranteed Railway Stocks, 22350-1.—Amount of such stock very small, 22351-5, 22375-6.—Average return on securities under section ran up nearly to 4 per cent., 22356, 22359, 22362.—As a matter of fact, only trustee securities had been allowed up to the present, 22346.—Because there was a veto, 22349.—English Railway Ordinary Stock hardly desirable for trustee investment, because income was derived from profits of the year and must fluctuate, 22346, 22400.—Return, per cent., might reach 4½ per cent., 22347.—Summing up, first class of securities gave about 3 per cent., 22357.—Second class, 3¼ to 3½, 22358.—Securities under section 51 nearly 4 per cent., 22359.—No difficulty in getting five to ten millions of Class No. 2 Stock, 22360-1.—Foreign Railways not included in section 51, 22365.—Nor

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allowed under Trustee Act, 22366.—Nor Colonial Railway Stock, 22367-9.—Some Colonial and Foreign Railways quite good, 22370.

Trustees could go outside Trustee Act only with approval of Public Trustee, 22371-3.—People invested in No. 1 Stock partly because it was more easily realisable, partly because many old people preferred Consols, 22377.—Fluctuations no greater in Class 2 than in Class 1, 22378.—Cheaper to invest in Consols, 22379.—Average yield of typical trustee securities other than Government Stock. 1901, £3 0*s.* 8*d.*; 1902, £3 1*s.* 0*d.*; 1903, £3 3*s.* 4*d.*; 1904, £3 6*s.* 5*d.*; 1905, £3 2*s.* 9*d.*; 1906, £3 4*s.* 10*d.*, 22380-1.

All first-class securities fell during 1904, owing to Russian war, 22381-3.—At present first-class securities were about the lowest on record, 22385.—Yielding about £3 7*s.* 6*d.*, 22386.—Partly because much money was wanted, 22387.—Securities given were the very best of No. 2 Class, and, though lower than ever before, yielded barely 3½, 22388-97.—Some securities mentioned not good enough for trustees, and should be eliminated, 22417, 22418-9, 22425.—But no additional security was needed so long as there was the veto of Public Trustee, 22398-9, 22402.—Extension of range of investments would give Public Trustee a great responsibility, 22404.—Impossible to extend range of really safe investments, 22406.—Permission was required for investment in anything outside trustee securities, but no list of the permitted outside investments was published, 22045.—There were ample trustee securities, 22407, 22428, 22479.—151 millions of Government Stock created during South African war; permission since 1900 to invest in Colonial Securities gave additional 236 millions; during last ten years there were made available 115 millions of Corporation Stocks and Trustee Securities, 22479-80.

Interest higher than at any time during last twenty years, 22481, 22487.—War debt now yielded £2 18*s.* 1*d.*, 22483-4.—Increase in securities available tended to increase interest, 22485-6.—Transvaal Loan gave just over 3 per cent., 22488-9.—Colonial Stock would average 3¾ per cent., 22491.—Municipal Stock perhaps a shilling more, 22492.—Trustees far better off than five or six years ago, 22493-6.

Power of Public Trustee to limit interest an owner could get for sale might to a certain extent affect price a vendor would accept, 22408-16.—If investments were limited to ordinary trustee securities Public Trustee would not be needed, 22423, 22425-7, 22430, 22437.

All securities fluctuated; no harm for a trustee to invest in any security whose interest was absolutely guaranteed, 22429.—Since a landlord who made up his mind to sell knew he would not get a farthing of the price for at least two years, and no one could tell what interest would be on a given security at that distance of time, the advice of Public Trustee could not really affect selling price, 22439-42.

No reason why an Irish landowner selling his land should not do as he liked with proceeds, so long as it was not settled property, 22431-6, 22505-6.

Land Stock raised under Irish Land Act so far had been £5,000,000, £6,000,000, and £7,000,000, and these had not appreciably affected money market, 22443, 22471.—It was only a transfer of securities, 22471-2.—Up to £10,000,000 might be issued, but it would always be easier to put £5,000,000 or £6,000,000 on the market, 22443, 22464-5.—Price of stock at present down to 86, 22444-6.—Price moved in sympathy with Consols, 22448-9, 22452-4.—Price unduly depressed by expectation of new issue, 22450, 22463.—Would not be quite so high as Consols, 22453.—Partly because market for Consols was far greater, 22457-9.—Position must continue till all land purchase transactions were completed, 22451, 22455-6.—Creation of large additional amount would not raise price, because it would have to be issued at lower price, 22460-1.—Whole amount of money not available for investment at psychological moment, 22473.—No prejudice against stock by reason of its name, 22466-9.—Bank would be warned of proposed new issue of stock, 22476-8.

Impossible to say whether present state of things would last; outlook not very hopeful, 22497-9.—It must take time to change, and the longer the better for investors, 22501-3.—Not safe to base land policy on present conditions, 22500.

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WYNDHAM, RIGHT HON. G.

Witness became Chairman of Congested Districts Board by resolution of members, position of other members being co-equal with his own, subject to greater facilities of access to other departments, consequent on position as Chief Secretary, 22795-6.—Action in Parliament by the Chief Secretary relating to the Board, was as a member of the Board simply, and did not involve Ministerial responsibility, except in case of failing to maintain economy or secure necessary legislation, 22797.

Compulsory powers were not a necessary condition of Board's effective action, 22798.—Witness thought the Board had not gone anything like as far as it could without resorting to compulsion; if there were compulsory powers there would be a temptation to short-cuts, 22818.—Friction would be created, and cost and delay increased, 22821, 22829, 22840.—The House of Commons would probably not give compulsory powers without appeal to a judge neither would such powers make the transactions of the Board larger, 22840.—The Congested Districts Board had begun in an experimental way, and ultimately had thought it better to embrace a large area, and to be a landlord for some years; if compulsory powers were granted, the Board would have to receive a sanction for compulsion on particular estates, which would involve a quick re-sale, in witness's opinion very undesirable; the present Board, with only voluntary powers, and some financial assistance, would go faster than the Board with compulsory powers, 22840.—Difficulty of Board's getting into its hands land available for relief of congestion without compulsion had been met by a provision in the Act of 1903, forbidding sale of newly-created tenancies, 22893.—Acts of 1901 and 1903 were intended to remove obstacles to effective action, but no legislation on such a subject could be final, 22799.

Objects of Act of 1903 were: (*a*) purchase of estates; (*b*) the cure of congestion throughout Ireland to be included in operations for purchase of estates, 22800.—This applied to the whole of Ireland, 22801-2.—In regard to congested districts objects were: (*a*) to enlarge credit for purchase, the Board being allowed access to the whole guarantee fund of county in which scheduled district was found, and credit value of fund doubled, 22800, 22802; (*b*) separate credit for acquiring untenanted land, interest on a million and a-half of Irish Church Surplus Fund being used to form a guarantee fund for untenanted land, 22800, 22802; (*c*) working capital for improvements, £20,000 a year being added to Board's income, 22800, 22802; (*d*) greater administrative facilities, as when a property outside a congested district was acquired for benefit of the district, some part was allowed to be handed over for benefit of people in the locality, 22800, 22808.—Power was got to resume and develop for purpose of migration and enlargement of holdings, 22810.—Illustration: purchase by Board of three congested properties for £9,000, and untenanted land to the amount of £3,500; small people on the fringe capable of being dealt with for £500; £500 worth of property would be handed over to the Estates Commissioners, and the advance of £500 would fall on guarantee fund of county; thus property to the value of £12,000 would remain to Board, the sum being advanced to them on payment of annual interest of 2¾ per cent. for five years, or, pending sale, during which time some of the difference between interest and rent would be saved, 22811.—Operations of Act, two-fold: (*a*) purchase of land; (*b*) execution of improvements, loss on either separately compensated, loss on price of land purchased by Estates Commissioners not to exceed 10 per cent., without calculating money spent on improvements, 22802-3.—Witness was speaking of congested districts estates, 22804.—Object was to prevent extravagant execution of works, and to secure assistance from people to be benefited, 22805, 22816.—Period during which Board could act as landlord was eight years, reduced to five, against witness's better judgment, five years not a sufficient time to deal with worst properties, 22816, such as estates in Erris, Stranorlar, and Letterfullen, 22817.—No portion of increased grant to Board was available for Parish Committees, 22875.—Witness had put forward great advantage to congested areas of developing Parish Committees, 22876.—It would be departing from the paternal character of the Board if it gave up that work, 22883.—Framers of Act of 1903 thought loss on purchase of land would not be on uneconomic holdings,

WYNDHAM, RIGHT HON. G.—*continued.*

but on untenanted land; assuming a loss of £1,000 on £12,000, Board would have to pay 3¼ per cent. on that £1,000 for sixty-eight years, unless sum so lost were saved out of margin between rents received and interest due, 22811.—But in practice transactions were complete on sale to tenants, and losses on purchase of land or on works were totalled as so much lost to the income of the Board, 22815.—Purchase of untenanted land was contemplated from the first, that principle and principle of loss in connection with uneconomic land sanctioned by Government in 1901 and 1902, 22819.—Loss not desirable, but some loss must be contemplated, an aggregate loss of 10 per cent. being allowed for by Government, 22820-2, 22831, even outside congested districts, 22830.—Loss occurred because land was in such a bad condition; land in better condition if bought and improved might involve a gain, 22821-2, 22824, 22830.—Compulsion would involve a greater loss, 22821.—Question could not be restricted to untenanted land, because untenanted land was bought to remedy defects in other land, and loss must be attributed to whole area, 22823, 22831-3.—It would not be worth while to sell bad land unless it were improved, and it could not be improved without buying untenanted land, 22825.—Congested Districts Board had power to buy, administer, and sell a property as it pleased, but extravagance might involve curtailment of its powers, 22834.—As to portion of transaction on which loss occurred, witness referred to what was in the mind of the framers of the Act, not to anything in the Act itself, 22835-6.—Act had given a large income to Board to enable it to undertake transactions which involved loss; if with a loss of £1,000 in income it settled the question over a large area, it would have a good case in asking for more money, 22836.—In general purchases, loss on the price of land was kept distinct, 22802.—Estates Commissioners in purchasing land must state that it could be re-sold at a loss of 10 per cent., 22802, 22855.—Enhanced prices, spoken of in Act of 1903, referred to prices given by a purchaser to the Board, 22802.—Increased price for land, under Act of 1903, had no real bearing on the problem of congestion; the purchase of untenanted land in order to carry out large improvements was really a new problem, 22880.—Untenanted land was always at a high price in Ireland, the more that was paid the higher the instalments of settlers, 22881.—Untenanted land of best quality only in the market at a prohibitive price for agricultural purposes; if only good grass land was bought better for it to remain as common pasturage, 22881.—This would benefit the people materially, 22881-2.—It was mainly by buying grass land of a low grade that a settlement of question could be arrived at, 22818.—Very important to buy indifferent grass land, 22881.—Under Act of 1903 there was power to resume a tenancy in connection with migration; they should be able to get a grant for this purpose, 22873.—Purchase of untenanted land might be spread practically over 68½ years, 22874.—To keep untenanted land available it was laid down that new tenancies could not be created after a certain date, and money would not be advanced for purchase of tenancies above a certain size, 22893.—State credit could not be used to sell untenanted land as large holdings, 22894, 22902.—Untenanted land could only be bought by the Estates Commissioners and the Congested Districts Board for relief of congestion, 22901-2.—Witness was not aware that a number of small holdings was being created, but would consider it so much to the good, 22895, 22899A.—The ordinary law of supply and demand applied to price of untenanted land, 22917.—Congested Districts Board stood somewhat in position of ordinary landlord pending time of sale to tenants; that was the virtue of it, 22907.—Board and Estates Commissioners not exactly in position of ordinary landlord, because they were released from some of provisions of Act of 1881, 22908.—Some of old power of landlords had been restored to Board, so that it might deal practically with properties, 22909.—It was in the position of landlord as far as rent-fixing went, 22910.—Not likely that many tenants by going into court and getting rents reduced would upset calculations of authority which had purchased land; hitherto Board had been able to carry tenantry with them, 22911.—Not within witness's knowledge that there was more objection to Estates Commissioners becoming landlords for a length of time than to Congested Districts

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WYNDHAM, Right Hon. G.—*continued.*

Board; Congested Districts Board had the confidence of the people, 22914-5.—The Rent-fixing Department of the Land Commission was subordinate to the judicial tribunal, which was independent of any executive authority, 22916.—With regard to improvements, the cost was a separate matter; where the purchaser's improvement added to the price, it was contended that the amount could be advanced back contended that the amount could be advanced back to the reserve fund of the Estates Commissioners and to income account of Board, 22805.—The price was charged to the annuity, and was to be recovered from the annuity if it involved no loss, 22807-8.—The whole or part of the cost of improvements could be added to the price paid by purchasers from the Board, 22811.—Additional price in respect of improvements would be refunded to income account of Board; sums spent on improvements for which no additional price was received constituted a loss of income during holding of property, 22811.—Money borrowed for improvements from Board of Works involved loss of income and loss on the loan, accounts being cleared up on resale, 22811-4.

As to advisability of having one body or two, alternatives had been carefully considered before the Act was brought in, and it was felt better to leave Board to operate in places where it was known, and to face danger of clashing, both bodies were given access to County Guarantee Fund, but the Estates Commissioners could be directed not to buy untenanted land where there was danger of clashing, 22890, 22842-3.—Their procedure was more expeditious than that of the Board, 22841.—Object of putting them under control of Government was to avoid clashing and that the operations of land purchase might be directed where they were needed, 22844, 22850, 22890, 22900.—Section 2 of the Act contemplated various categories of persons to be assisted, but no priority was given to anyone; to reserve grass lands in Connaught for Board, and to exclude operations of Estates Commissioners would be too rigid a rule, 22845.—The Treasury and Government had decided to leave Board with increased facilities to deal with congestion in scheduled area, and to give Estates Commissioners facilities for dealing with it throughout Ireland, not operating much within Board's area, 22847-8.—This view would be in harmony with provisions of the Act, 22849.—Ample scope for energies of Estates Commissioners in dealing with congestion outside scheduled districts, as in glens of Antrim, Clare, and Tyrone, 22851-3.—Witness had in mind the possibility of clashing when Act of 1903 was passed; possibility of handing over whole of Ireland to Estates Commissioners had been considered, 22890.—It was found that both bodies could act without clashing, 22892.—The Government of the day must see that they did not clash, 22899, 22899A.—And taking away powers of Congested Districts Board and giving them to new Department had been contemplated, but not for long, 22891.—Witness thought operations of Board should be continued, 22837.—It had the confidence of the people, and to that extent there was reason for leaving it, 22914.—In case of large transactions, witness would recommend House of Commons to continue Board, and give additional income, if required, 22838.—Did not see how necessary addition could be very large, 22839.—The Board had been pioneers, and provisions in Act of 1903 were based on their experience; witness would be sorry to abolish Board, even though true solution of congestion were yet to be found, 22853, 22880.—Board was unable to deal with land already acquired, their margin for improvements was so small; whereas the Estates Commissioners' loss of 10 per cent. on dealing with estates was met by their votes, 22861, 22863.—If Board could show that it was dealing with large areas it would have a good case to present to Parliament, 22854, 22866.—The Treasury said the Board, with its present income, must buy only £140,000 worth of property in each year; what lay behind this view was that a small number of estates should be bought in each year, dealt with, and resold; this was absolutely opposed to the true method, which was to buy a large amount of land and devote a certain number of years to putting it in order, 22854-5.—What the Board had to do was to say that in order to continue their work they required another £10,000 or £20,000 a year, 22862.—If they could represent their loss on land purchase as within a certain limit they would have a better case, 22855-6.—If a public loss were to be made it might as well be made by Board as by Estates Commissioners, 22864.

WYNDHAM, Right Hon. G.—*continued.*

Witness suggested asking Treasury to appoint a representative to be present at Board's meetings, in order to assure the Treasury that Board would not exceed prescribed limit of loss, etc., 22856-60.—Loss would very likely exceed 8 per cent. in the future, 22859.—Treasury representative should attend as temporary member when land purchase problems and congestion were being discussed, 22867.—Would be a good informal method of giving Treasury information, to which additional grant would entitle them, 22868.—Would not be an infringement of Board's independence, 22877.—Witness was following precedent set when Sir Robert Holmes was given access to all parts of Irish administration, 22878.—Better to risk dependence than abolition, 22879.—Witness did not see why Treasury official should have more power if introduced as a member of the Board than he himself had as Chief Secretary, 22906.

Witness was not aware of any stipulation to give more than £2,000 a year to Board when its agricultural work was handed over to new Department; idea was to concentrate Board's work on problem of congestion, and hand over other work to new Department, 22883.—Memorandum of 3rd October, 1903, represented a change in Board's objects, which were originally to improve industrial condition of people, not, as now, to buy and improve land, but from the start they had to consider all possible methods of dealing with congestion, rather than to prosecute any one object, 22888.—Witness thought more could be done to relieve congestion, and the Board was the best authority to carry out operations, 22817.—Its established position was to be relied on more than compulsory legislation, 22913.—Witness did not go so far as to say no fresh legislation was needed to carry out policy of Board; they ought to be able to pay for the tenant-right out of credit, and not out of income, 22912.—Act of 1903 not considered final on questions of finance, 22816.

It was of little use to do anything until the social life in congested districts was improved, 22884.—Till then instruction in technicalities of agriculture would be positively dangerous in the very bad part, 22885.—Board's view had come to be that more good could be done for congested districts by giving them secure agricultural foundation than by attempting anything more ambitious, 22888.—Special relief should be given in worst cases of congestion, 22817.—If they had only touched fringe of congestion in West, it was because they had proceeded with many estates slowly and not with a few estates rapidly; system should be largely carried out by the people, who should understand they were contributing their share, 22869.—Purchase of estates had been more rapid, but disposal of property to tenants had not gone on at the same rate, 22870.—In dealing with worst cases they should come to an agreement with Government that there was to be a limit to loss, and that property might be held for a longer period than five years, 22871.—Properties could be dealt with only in this way, and witness thought Board was better able than any other Department to inculcate these views into minds of people who showed unwillingness to continue their farms without reductions, 22872.—Real relief would not be a matter of a short time, progress would be very slow unless great efforts were made, 22903-4.—With regard to subvention in relief of taxation, witness thought that something in the nature of recommendations of Local Taxation Commission should be given effect to, which would assist the Western districts, 22886.—Rates in several unions there were very high, 22887.—Inhabitants of scheduled areas were regarded as favoured people, 22919.—Definition of scheduled areas was accidental to relative prosperity of people inside and outside them, to a certain extent, 22920.—Wherever a line was drawn there was something just outside which might be included, 22921.—Development of industries in the West ought not to be abandoned, but amelioration of condition of agriculture should be the first consideration; it was to be hoped Irish holders might pursue similar policy to those in Switzerland, etc., by engaging in winter trades, but they had not done it yet, 22923.—Industries referred to were those of the cottage type, 22924.—Witness was not aware of any deleterious effect; some girls might overwork themselves in lace-making, 22928.—Did not share opinion that lace-making, etc., unfitted them for their station in life, 22929.—Large factories could not be started successfully under present economic conditions, 22925.

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ROYAL COMMISSION ON CONGESTION IN IRELAND.

MINUTES OF EVIDENCE.

FORTY-SEVENTH PUBLIC SITTING.

TUESDAY, MARCH 12TH, 1907,

AT 11.0 O'CLOCK A.M.,

At Winchester House, 21 St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (in the Chair); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; Most Rev. Dr. O'DONNELL; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary

Right Hon. ARTHUR J. BALFOUR examined.*

Mar. 12, 1907.

Right Hon. Arthur J. Balfour.

22082. CHAIRMAN.—Mr. Balfour, in order to save your time questions have been prepared by two or three of the Commissioners, and I propose that they should ask you these questions, of which I think a list was sent to you?—Yes, I think it was.

22083. SIR JOHN COLOMB.—Did you contemplate that the Congested Districts Board would find it necessary to carry out some scheme of assisted emigration as a necessary alternative to migration, and is that, speaking generally, what your general purpose was in putting into the Act assistance to "migration or emigration"?—We drew the Act deliberately with the widest possible phraseology so that the Congested Districts Board might not feel itself hampered in carrying out any policy which the course of examination into the facts of the congested districts might seem to render desirable. There has always been, I think, a feeling in Ireland, a very natural one, against emigration. It has always been associated with the great casualty of the famine and depopulation of Ireland in consequence of discussions in political and other circles; but we felt that we could not exclude emigration; that it might well turn out that emigration was the best way of dealing with a portion of the population which could not be accommodated in the congested districts themselves. The great difficulty connected with migration was the cost, as it always seemed to me. I am speaking now, not the views of the Board, but my own views, as far as I remember. Migration involves, and must involve, I think, the building of a new house for the migrating family, and there being a considerable capital expenditure upon the new holding. Now, you could not build a house I suppose under £110 or £120. A sort of rough calculation I made at the time was that there was very little hope of settling families in new farms, say grass farms, or some uncultivated area at a capital expenditure of less than £500 per family. Now, I know, judging by experience of Scotland, of England, and of Ireland, that much less than £500 has very often helped to settle a family successfully in a new country. It seemed to me that £500 was almost prohibitive to migration on a very large scale. I always hoped to see it carried out, but I did not anticipate that we should have funds or opportunity for dealing with migration on a very large scale.

22084. Of course you had in your memory the recent experience of assisted emigration in Ireland so largely availed of by the population in the West, the transferring of whole families to Canada and the States—I suppose that was present to your mind?—Of course; no doubt it was.

22085. Then, I suppose I may take it, generally, that you wish to convey to the Commission that in framing the Act, the problem being a new one and the difficulties obviously being very great, you desired to frame it in such a manner as to give it elasticity and not to tie it up too closely with rules and regulations?—Certainly. But it was not merely that our want of experience made elasticity desirable. It was that in my view the very *raison d'être* of a Congested Districts Board was that it should be as little as possible trammelled by either official or any other relations. I regarded the Congested Districts Board as being in the nature of a machinery for giving paternal assistance to congested districts which were too poor to help themselves, and I rather conceived it as acting as a very wealthy and benevolent landlord might act towards an estate of which he became possessed, and in which he found people sunk in very great difficulties, from which they were quite incapable of extricating themselves. Evidently you would not desire to trammel the action of such a landlord by—I won't say red tape, for that is rather an offensive word, but by rules and precedents which are very proper limitations to the action of a great Government Department. I wanted this to be outside the region of Government Departments and to act with the absolute freedom which the difficult and novel circumstances might render desirable.

22086. Now, assuming that, Mr. Balfour, might I ask you this question. Have you, with your further official experience, seen any reason to change that view?—No. I have seen no reason to change that view; but of course I ought to add that my official connection with Ireland was severed almost immediately after the Board was brought into existence, and though I have always been a member of the Board I have never been able to follow as closely as I should desire, the developments which have since taken place, and which, though I have been in a sense connected with them, have not been under my supervision or control.

22087. That being so, then, speaking approximately, the Act establishing the Congested Districts Board received the Royal Assent some time about August, 1891, and you ceased to be Chief Secretary before the close of the year?—I think that is so.

22088. And, therefore, presumably, you could not take part very closely in any discussion of points considered by the Board while Chief Secretary at that time?—I had this opportunity but I am sorry to say I have not been able to refer to the earlier reports of the Board to see how many meetings I was able to attend before I ceased to be Chief Secretary.

22089. Therefore, I need not put my question No. 7, which was to ask you if you could tell us whether from the setting up of the Congested Districts Board the policy of aiding emigration was thoroughly examined and considered by that Board?—I suppose under the circumstances I could not answer that. I think my

* This evidence has not been revised by the witness.—*Secretary*

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successor would be far better able to give information on that than I should.

22090. I do not think I need trouble you any further except to observe that your estimate with regard to the cost of migrating a family is very much confirmed by evidence that we had only the other day from Professor Campbell of the Department of Agriculture?—I refreshed my memory with the calculation which I have just given to the Commission, by looking back to some statements in the House of Commons at the time that I was in charge of the Land Purchase Bill.

22091. Most Rev. Dr. O'Donnell.—What were the conditions specially affecting congested districts on which the policy of setting up the Congested Districts Board under the Act of 1891 was based?—I may say, broadly speaking, that they were two. Poverty extending over such an area as to make the district in which the poverty existed quite incapable of helping itself. If I remember rightly the definition of a congested area was taken from the Arrears Act of 1882. I think it will be found that that was so. To that definition, which merely stated what constituted congestion, there was added the further condition that the congested area was an area of a considerable surface in proportion to the valuation. I understand that that policy has been questioned. I think I could defend it upon abstract grounds, but there are grounds which may not be present to the minds of the Commission which had great weight in 1891, and which made it almost necessary. It will be remembered that the Congested Districts Board provisions were part of the Land Purchase Act. That Land Purchase Act could only have been got through the House of Commons on its being made quite clear that the general taxpayer, the British taxpayer, could, under no circumstances, have any burden thrown upon him in consequence of default. I never, myself, anticipated that the default would be at all a serious matter, but what was required was not that I should be satisfied, but that the House of Commons should be satisfied. The objections then made to the land purchase clauses of the Act of 1891 were made by critics who said "This is a very dangerous extension of British credit, and the British taxpayer has a liability thrown upon him in respect of a particular portion of the United Kingdom which it is not fair that he should bear." I had to meet them, and I met them by establishing a very elaborate system of guarantee funds. The criticism made on this system of guarantee funds was that it might threaten the vital interests of the localities in the shape of education and other matters, and that eventuality if a danger at all would be a danger of especial magnitude in connection with the congested districts, which were the poorest parts. Now, all those guarantee funds were County Guarantee Funds. If a whole county which was extremely poor, had a large area of congestion within it, it was evident that if there was a danger of these guarantee funds being come upon at all that danger was specially great in the case of a county that had a very large congested area within it, so that I felt it necessary, in the Act of 1891, to make special provision against that particular danger which it will be observed is connected not with the Congested Districts Board but with the Land Purchase part of the scheme, and I turned all the congested districts in those counties into a particular county for the purpose of that Act and made the contingent guarantee fund the fund belonging to the Congested Districts Board, so that in case of serious default there would have been behind the British taxpayer the funds of this Board. I am not sure whether I have made it clear.

22092. Yes; but had you any doubt in your mind of the punctuality of the Irish occupier?—No; but if you will look back at the tone and temper of public opinion at that time, which was all I had to deal with, you will see that all the criticisms passed on the measure were that it threw too great a burden on the British taxpayer, and I could not do as some people suggested, take little spots of congestion all over Ireland wherever spots of congestion existed. I was obliged to treat a county which had a very large congested area within it upon a very different footing from a county where there might be congestion equally severe, but of less amount.

22093. Your unit of congestion was the electoral division based upon valuation?—Yes.

22094. In Ireland the main source of employment would be the land?—Yes.

22095. It showed roughly where employment might be derived from that source?—Yes.

22096. Or where it was wanting?—Yes. The Commission will readily understand that even if criticism could be based upon a definition of congestion it was much better to have a clear and easily understood rough-and-ready rule which might leave something to be desired in point of scientific accuracy than one which could not be made practical.

22097. You aimed rather at getting a practical definition to meet a serious difficulty?—That is so. Besides I based myself on the Act of 1882.

22098. Were you aware also that in the area covered by the definition of 1891 the industries that existed to give employment to the people were comparatively few apart from the land?—That is so.

22099. Then, the definition required two conditions, as I understand, that in the electoral division the valuation divided by the population would give something less than 30s. per head and that 20 per cent. of the population of a county should live in such electoral divisions?—That is so.

22100. Now, were those two conditions sufficient to enable you to group roughly together the bulk of the areas where distress existed in bad years?—I think on the whole they were. But I think there can be no doubt that distress can be found in the counties which are not congested under the definition which you have just recited. I do not think that when you bring into being so exceptional an institution as a Congested Districts Board what you ought to have in your mind is individual poverty. What you have to deal with is the condition of the poverty. There is poverty as severe as any that can be found in the West of Ireland to be found within perhaps two hundred yards of the place where I am now sitting; but you do not deal with London as a congested area, because London is a very wealthy place as a whole, and on t may be thrown with propriety the burden of dealing with its own difficulty. The peculiarity of the West of Ireland was that it had no resources of its own from which you could possibly expect any regeneration.

22101. Enriching areas were not close at hand?—Yes.

22102. And then would you think that the view which has been placed before the Commission is a sound one, that after so many years of the work of the Congested Districts Board in that special area it might be advisable to revise the definition with the object of allowing the Board a good deal of latitude in dealing with a smaller district than the electoral division, and in dealing with poor areas outside the scheduled counties?—My natural instinct would always be in favour of giving latitude to its decisions, but I should be afraid that if that Act had been made very wide the Board would have been overwhelmed with applications, that its funds would have been found insufficient, and that the administrative difficulties with which it has under certain circumstances to deal would have reached such a point as seriously to impair its utility. But on that point persons who have been working on the Board as your lordship has for so many years are more qualified to form an opinion than I am.

22103. Then it was your view that those poor districts in the West of Ireland should be grouped together, and that one authority should be constituted to look after them?—Yes, that was so.

22104. It is your view that that required special machinery and a special authority, with the object, as you stated a moment ago, of helping a congested district too poor to help itself?—That is so.

22105. That there should be not only a special authority or Board constituted which could do this but that the Board should have the general control of all those districts?—Yes.

22106. That there should be one Board, not two?—There was no question when I was Chief Secretary of two authorities. The Board of Agriculture had not yet risen above the horizon. That was during my brother's administration some five or six years after the Congested Districts Board was started, and as the new Department was not in existence, the duty of co-ordinating its work with that of the Congested Districts Board never came under my notice.

22107. Before leaving that aspect of the case to pursue the subject before you, I would ask whether

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under Section 39 of the Act of 1891 it was intended that the Board might operate outside the congested districts counties by aiding migration or emigration from any electoral division, the total rateable valuation of which when divided by the population gave a sum of less than thirty shillings for each individual?—I ask you not as to the legal construction of the section, but as to what the intention was?—The intention of the Government at the time was that migration and emigration should be aided by the Congested Districts Board only from congested districts.

22108 Do I take it, then, that it was not the intention that there should be any operations by the Board in an electoral division where the rateable valuation divided by the number of inhabitants gave less than thirty shillings per head, unless 20 per cent. of the population of the county lived in such electoral divisions?—That is so

22109 And that is absolute for all the operations?—According to my view that is absolute for all the operations.

22110. Now, I have another question for you. I know your mind must have been otherwise occupied, and it is not easy to hold these things in memory, but in view of developments which have taken place, it is important for me to ask you whether you recollect being present at a meeting of the Board in London early in 1903 when it was going to buy the Ffrench estate through the Land Commission?—Yes. I do not remember the details, but I do remember the question being put, and my concurrence in it.

22111. I ask you because from the beginning the efforts of the Congested Districts Board have been in the direction of migration and enlargement of holdings. The schemes took the form of buying land from the landowners, and improving the estates, and selling the holdings to occupiers on the estates or migrants from other estates who had relinquished their original holdings for the benefit of the congested district they were departing from?—That was an integral part of the original plan

22112 May I take it that it was with your knowledge and with your full concurrence that the Board engaged in schemes of purchasing land with the object of improving the land, and re-selling it to the tenants?—Yes, that is so The amalgamation of holdings was one of the greatest objects which we had in view in starting the Board. It will be observed that it was much cheaper in one sense to increase a holding than to make a new one If you put two holdings together no doubt there is a loss, for one of the houses becomes practically useless, but though that is expensive it was always contemplated that the Board should bear that expense, it being much cheaper than the operation of making a new holding.

22113 Do you recollect that at the early meetings of the Board it was considered to be impracticable to conduct migration on an estate without a public authority like the Congested Districts Board first acquiring the owner's property, and having it vested in them?—I believe that to be the fact, but how soon it was realised in the course of the Board's work I do not know. I suspect that it was realised very soon, but the dates are not present to my mind. That the fact is so I have no doubt

22114. You have no doubt that it was considered exceedingly difficult in practice to cut out new holdings on an estate which still remained in the hands of a private owner?—I believe that a small amount of experience showed that that was so.

22115. Hence, from the start, as is evident from the first reports of the Congested Districts Board, and that London meeting to which I have referred, the Board treated the question of the enlargement of holdings and migration as part of the question of purchase of lands, improvement, and re-sale to tenants?—I believe that is historically accurate, but I do not think that my evidence is of much value unless I first looked up those reports, which I have not had an opportunity of doing.

22116. I will trouble you just to look at the very first report. That is a section of the first report ever issued by the Congested Districts Board?—Yes

22117. There is no doubt about the trend of the feeling of the Board in that?—Quite so

22118. With reference to the Ffrench estate, I do not like to ask you further, except on this point. Do you remember that at that particular time the chief deterrent dissuading the Board from the Ffrench estate purchase was previous experience of an unsatisfactory kind by a Migration Company?—Yes; that has come back to my mind.

22119. Further, with reference to the Ffrench estate, Mr. Balfour, you have stated that you yourself estimated that £500 would be necessary per migrant, and, as Sir John Colomb has told you, we have had confirmatory evidence from a very competent witness who himself has not been engaged in the work of migration. Now, on that Ffrench estate has it come under your notice that holdings were enlarged in three ways—First, by the addition of small plots adjoining, next by the providing of accommodation roads to additional islets; and, thirdly, by taking people from one portion of the estate, and planting them on grass land on another portion of the estate? Perhaps you are not aware of those facts. I do not think I remember those facts in connection with that particular purchase, but it is evident that those are the three methods. But it would be very expensive

22120. Then you are disposed to say that if they were to deal with the same estate at present it might be a very expensive operation?—It all depends on whether you have to build a fresh equipment of tenants' houses and buildings.

22121 You will be gratified to hear that though the initial migration proceedings of the Congested Districts Board were impeded by many difficulties, such as you have mentioned, the expense has not been up to the figure that you thought, and that in the hands of the officers of the Congested Districts Board the whole process of the Ffrench estate was worked out without any loss to the Board whatsoever?—Yes.

22122 And also that although the improved holdings could not be altogether perfect, the dwellings and the conveniences for live stock were greatly improved, and the whole community on that small estate in East Galway, the Ffrench estate, has been almost reconstructed on a satisfactory basis. I am not going to say that the equipment of those holdings is perfect, nor that they are what you would desire, nor that if everything were done on a scale that would pass strict examination, an expenditure of £500 all round would not be required, but I think you may take it that from the experience of the Congested Districts Board it has been shown that for a much smaller amount of expenditure satisfactory results have been obtained?—That is partly by making use of the advantages of British credit

22123. Certainly?—It is by the difference between the rent and the annuity.

22124. Yes; and that is the important part. In fact, without that I do not see how land settlement could be worked at all?—Quite so.

22125 From the view which you have expressed and the interest you always took in the work of the Board it is almost unnecessary to ask you this question perhaps. Besides being a member of the Government proposing and carrying legislation in different years from 1896 to 1903, to enlarge the work of the Board did you join in bringing in Bills to facilitate the Board in buying estates, improving them, and selling to the occupiers?—Yes. Mr. Morley was, I think, Chief Secretary at that time, and, of course, Chairman of the Congested Districts Board, and I was also a member, and we arranged to bring in uncontroversial Bills, which, I think, greatly facilitated the work of the Board

22126 There were two such Bills, one in 1893 and one in 1894?—Yes.

22127. And I have here a copy of the Bill for 1894 brought in by "Mr Morley and Mr. Arthur Balfour"?—Yes.

22128. It was only by degrees, I suppose, people came to realise what funds would be necessary for these operations?—Yes, and for so novel an experiment it could not be wholly foreseen at the start.

22129. It occurs to me with reference to your first answer as to the condition of congested districts to ask, do you consider that on the whole those districts were discriminated from all the other districts of the counties?—Yes, roughly, and by a definition which, very much like other rough and ready definitions, does not bear the closest examination, but still a rough definition which I think is justifiable.

22130 I ask you then, would it be true to say that in the congested areas the occupiers had either

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poor land or an insufficient quantity of land, that the houses were poor, that the drainage was indifferent, that the methods of tillage were not up to date, that the facilities for going to market and disposing of produce were not what they ought to be, that there were not piers sufficient, that the fisheries were not developed as they ought to be, and that generally those districts were in a very backward condition even for the West of Ireland?—I think all that is true.

22131. To remedy those evils did you consider that a special authority should be constituted for those districts?—That was the object of the Act.

22132. The words in the Act are as follows:—"For twenty years after the passing of this Act, and thereafter until Parliament shall otherwise determine, there shall be a Board called the Congested Districts Board for Ireland." Now, was it clear to your mind that that Board constituted by you should remain to do its work until, broadly, the condition of things was so changed in the congested area that the area was brought up to the normal condition of the rest of Ireland?—I should be cautious about answering a question which needs intimate acquaintance with the condition of Ireland as it is now, and with the working of the institutions which we have had since I was Chief Secretary—I mean particularly the Local Government Act, the Agricultural Department Act, and the great Land Purchase Act. I think only those who have had an opportunity of watching closely how those Acts work into the social system of Ireland can give a really valuable answer to your question; but personally I should be disposed to think, in the absence of evidence to the contrary, that the continuance of some paternal administration such as the Congested Districts Board can give is very desirable in those very backward parts, and I should view with some hesitation, some misgiving, any policy which put the whole of Ireland under a paternal administration with regard to agriculture and industries. Everybody must acknowledge that the Congested Districts Board stands absolutely by itself, so far as I know, in the legislation not only of this country, but of any country. I believe it is most useful, and does most useful work; but whether it would be right to give to any Government Department the paternal duties which may properly be given to this, which is hardly a Government Department in the full sense of the word, and that those duties should extend to all Ireland—of that I should have some doubts. But, again, on the other hand, I should have some doubts whether it is desirable to deprive those congested districts of the advantages which the paternal system can give them, and which no other system can give; and therefore I should have thought that whatever the extension of the work of the Agricultural Department should be, one ought to be cautious before one made it a substitute for the very special machinery which the Act of 1891 devised for a very special and difficult case. But that opinion of mine is only to be regarded as a caution, not as a settled conviction based upon accurate local knowledge.

22133. Hence, knowing that you would not take it upon yourself to judge of a matter with which your reference to your intention originally. Was it your intention that this paternal authority should remain intention that this paternal authority should remain to do the work which is required?—Yes.

22134. Sir JOHN COLOMB.—Is that limited to special districts?—To special districts.

22135. Most Rev. Dr. O'DONNELL.—I have only to ask one question, about the light railways. Were they intended with the object of helping those poor districts?—Yes. The light railways were part of the general scheme of which the Congested Districts Board was another part, for ameliorating the condition of the West. It became quite clear that whatever other evils the West suffered from, and you have enumerated them, bad land, bad cultivation, relative ignorance, want of capital and so forth, in addition to all those evils the want of transport was a very serious one, and the want of transport rendered the fishing industry almost impracticable, or at any rate very difficult to carry out very successfully on parts of the West coast—I won't say positively, because I believe Scotch and Manx fishermen did it, but at all events it made it very difficult to carry out.

22136. I suppose it has, in some way, come under your observation that the railways have been of great assistance to the development of the fisheries along the coast?—I believe that is so.

22137. Then was it at all a part of your programme to construct on the West coast, where the seas are rough, some harbours of shelter for the fishermen in connection with the light railways?—Yes. I think that was an essential part of my scheme for developing the fisheries, but we were very conscious of the danger of simply putting down a pier in some place where there was a local demand, but perhaps not based on knowledge of real engineering, and not based upon the suitability of the district for developing a self-supporting fishing industry. And, therefore, I think the construction of a pier which was not merely a result of public pressure would be very valuable; but directly there are public funds available for objects to which they may be applied by certain authorities it is very important that the custodians of those funds should not be subjected to any of the inevitable pressure which, human nature being what it is, will be exercised by the localities which think that they can obtain the money.

22138. Would it be your view that the adequate development of the Irish fisheries requires the construction of a certain number of harbours of refuge which, of course, ought to be selected on the evidence and judgment of the best experts that could be obtained?—Harbours of refuge

22139. For fishermen?—Yes; I think that would be of enormous importance clearly.

22140. Mr. KAVANAGH.—With your experience gained since the passing of the Congested Districts Act, would you alter the definition of congestion in any way?—My experience has not been local or minute. As I have already explained to the Commission I ceased to be Chief Secretary for Ireland a few months after the Congested Districts Board was brought into operation, but I am not certainly convinced by any arguments that I have seen that that definition should be modified. The mere fact that there are districts, we will say, in the North-east of Ireland, in which there are poor populations, does not at all convince me that you ought to bring those areas within the definition of congested districts.

22141. You are not then prepared to suggest any alteration of the definition?—No.

22142. Sir ANTONY MACDONNELL.—I have formed the impression from what you stated that you are opposed to migration as a rule?—Merely on account of the cost.

22143. May I explain to you how migration has seemed to the Board, from its experience of the last few years, to be desirable. I understood you to say that the poverty in congested districts was the main cause for the creation of the Congested Districts Board, and I inferred—perhaps I was wrong in doing so—that that poverty arose from the nature of the land tenure and from the smallness of the holdings which prevail in the congested districts?—The smallness of the holdings is undoubtedly one of the main reasons, but there are others. But that is one of the main reasons

22144. But in our experience of the working of the Board we found, and we do find now, that in congested districts themselves there is not sufficient untenanted land available to enlarge those holdings and bring them up to what we call an economic level, and consequently the Board was forced to look outside the congested districts for untenanted land. That being so, the policy of migration became unavoidable. We were obliged to migrate tenants from congested estates to those new untenanted lands in order to get possession of the holdings which they relinquished and thereby increase the size of the holdings which remained. In that way, as I have said, a policy of migration became inevitable I understand you to have a prejudice against migration as a rule, but if you look at it from that point of view I think you will see that the Board cannot hope to relieve pressure or to increase the size of holdings without a large system of migration?—I have no prejudice against migration at all. On the contrary, I have no more prejudice against migration than a poor man has a prejudice against buying property. It is simply a want of funds.

22145 I thought that there were two alternatives in your mind, migration and emigration, and that to migration you were opposed?—No. I have already explained, if not I will now, that my sole difficulty with regard to migration was what seemed to me to be the cost of the operation. If it is true that you

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cannot do it upon untenanted land except at an expenditure of about £500 per family, it is evidently a very costly operation.

22146. Well, on that point I proposed to ask you one or two questions, but I have been anticipated to some extent by what his lordship the Bishop said. To allot part of the land you consider part and parcel of the fundamental arrangements of Mr. Wyndham's Act?—Yes.

22147. So think I think that so far as the cost of the land is concerned we may eliminate that from consideration, because we may assume that the land of Ireland will be transferred from the landlords to the tenants in the course of time. The tenant who goes into possession of the land repays his debt to the State with punctuality. Our experience is that when the tenant becomes possessor of the holding he does get the money from some source or another to build the farm buildings, and with a little assistance from the Board he can manage to build his house, so that our experience hitherto has been that what seems to you to be the great objection to this system of migration, namely, the cost, is not really a practical objection?—That is very satisfactory, but I suppose no accounting gets over the fact that if a tenant goes into land which belongs to somebody else, which land is paid for, he must be paying down his part of the cost of the operation.

22148 He does it, as you point out, by the help of British credit?—Quite so.

22149. It is an extension into this sphere of Irish life of the beneficial results of Mr. Wyndham's Act. There are at the present time two views before this Commission as to the desirability of continuing the operations of the Congested Districts Board. There is one view that the Board has done its work and that now it is desirable that it should make way for the other two great organisations which were not in existence when the Board was created, namely, the Estates Commissioners and the Department of Agriculture. The Board has recognised that portion of its work, namely, its agricultural work, was more properly the duty of the Agriculture Department, and consequently it has transferred that part of its work already to the Department of Agriculture. The object was to transfer as much to the Agriculture Department as possible on the ground that the Board was a transient department which was intended in the course of time to pass away, and that the Department of Agriculture was a permanent department. The Board wanted to concentrate all its energies on the purchase of land, the improvement of the land, and the re-sale of the land to tenants. Would you be prepared to offer an opinion as to which of these two alternative policies would be preferable, whether it would be better to continue the Board as a benevolent institution which can act as a benevolent landlord might act, or whether as matters have to be done within a reasonable time it would be better to transfer the work of the Board in the acquisition of land and re-sale to tenants to the Estates Commissioners who can proceed at a much greater pace than the Board can. I may, in explanation of this, mention to you that from the time the Board was created till the passing of Mr. Wyndham's Act the total amount of money spent by the Board on the purchase of land for re-sale was £150,000, and that since Mr. Wyndham's Act was passed the Board has bought over 1,500,000 acres of property. If we proceed at the rate that the Board was going at before Mr. Wyndham's Act came into force some fifty or sixty years will elapse before this purpose of increasing holdings up to the economic level will be accomplished, and in the meantime, with that great desire on the part of all tenants, especially in the neighbourhood of untenanted land, to get possession of land the Estates Commissioners are unable to resist the pressure, so that if we proceed as we have been in the habit of proceeding, the means of relieving congestion will have gone. In these circumstances would you be able to express an opinion whether you think it desirable that a more expeditious way should be adopted?—I do not think my opinion on such a point is worth very much. I entirely agree with you in saying that expeditious machinery is better than a slow machinery, but I gather that expedition is possible under the present system You tell me, I mean, that since the Land Act of 1903 the Congested Districts Board and the Land Commission between them have dealt with an enormous acreage. and therefore I do not collect from your observations that the mere existence of the Congested Districts Board is any bar to rapid operations It may be so, but you have not explained it so. Another department of the Government comes into operation by which the action of the Congested Districts Board is completely hampered, I mean the Treasury My objections do not apply to the action of the Estates Commissioners, but the Treasury interfere with the action of the Congested Districts Board.

22150. Yes, and the action of the Congested Districts Board is absolutely stopped at present owing to the refusals of the Treasury to supply funds. The Treasury have stated that they are unable to supply more than £140,000 odd a year for the purchase of land, so that if that bar to the operation of the Congested Districts Board is maintained of course we come to a stand?—Then what is done with the 1,500,000 acres of which you spoke?

22151. We have that on hand and we are striving to prepare it in order to get rid of it and re-sell it to the tenants, but our funds for improving that property are very limited?—But then it would appear to me that the difficulty you suffer from is not bad organisation, but want of money.

22152. Want of money; and the organisation of the Estates Commissioners is more expeditious than our organisation?—But are they richer?

22153 Of course they are?—But they can do nothing in the way of dividing it up.

22154. Yes, there is a section of Wyndham's Act which says that the Estates Commissioners can lose 10 per cent. on the re-sale of the estate?—I am not really sufficiently acquainted with the relations of the two departments to make my opinion worth having or putting on record.

22155. Mr. Wyndham's Act gives the Estates Commissioners the means of dealing in a paternal manner with the congested districts. That being so do you think it desirable to have two organisations dealing with the same sort of property?—I would only answer that question by asking another one. Do the two organisations clash or hamper each other in any way, or is it merely a clashing on paper?

Sir ANTHONY MACDONNELL.—They overlap in actual practice; for instance the Estates Commissioners might buy an estate in a congested district?

22157 CHAIRMAN.—I do not want to interfere, but it does seem to me that this is a question of a rather technical and difficult kind, and it seems to me that it is almost unfair to ask you to express opinions very much as you have had no chance of going into the details of the matter?—That is so.

22158 The question of how far the Congested Districts Board and the Estates Commissioners are each able to do land purchase work surely must depend upon an intimate knowledge of the variety of conditions which govern the working of the two bodies, and I do not suppose, Mr. Balfour, that you have had an opportunity of looking into that lately?—Well, that is so I would rather content myself with making two remarks of a general character. One is that overlapping is of course an evil, but, on the other hand, so long as a paternal department is required within the congested districts area, so long I think there must be special work for the Congested Districts Board to do, because, speaking for myself, I should view with some reluctance putting the whole of Ireland under a paternal administration. That seems to me to be only suited to very exceptional areas, and I should be sorry to load any ordinary Government department with any special duty which I think the Congested Districts Board are fitted to carry out. But these are general observations which require to be qualified perhaps in practice, and which, if I knew some of the details of the working of these institutions, I might myself see reasons to modify.

22159. I should like, if I might, to ask you another question or two with regard to what you have told us about the definition which you set up when the Act was passed. I think you said that that definition was chosen for two reasons, because you had to create special machinery in connection with the land purchase operations of the Bill, and also because in your view in the scheduled area was to be found poverty of an acute and widespread kind; and I think you also went on to tell Mr. Kavanagh that you would not propose to make any change in the definition

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now, because, in your opinion, the test should be not so much whether there was any poverty, but whether the poverty was widespread enough to make the district powerless to help itself?—That is so.

22160. But you know quite well, I think, that in many districts in Ireland outside the scheduled area there does exist poverty just as great as within the scheduled areas, and that the reason that those areas do not come under the definition is merely because there happened to be a demesne or some enriching area of that kind which puts up the valuation per head of the population over the 30*s*.?—You mean that those particular areas are in counties which themselves are relatively rich?

22161. There may be rich areas, of course, within the scheduled areas. Inside those congested district counties there are electoral divisions, as one can see from the map, which are not congested, and they may be excluded because they have a demesne or some other enriching factor which puts the valuation above the 30*s*. limit contained in your definition. You might have of course many areas outside the scheduled areas, out in Antrim and other places, where great poverty exists, but where also the population is not dense enough to cover your definition, or where, again, the average valuation just goes over the 30*s*. Do you not think then that those people have some cause of grievance that the funds of the Board cannot be applied to them to relieve their poverty?—I have not the least doubt that if some benevolent despot were to re-arrange those districts he could make a much better area than is made by the artificial definition of the Bill, but I do not know that I envy that benevolent despot the task. And I think that if the Board was to be given the power of defining its own area instead of carrying out the duties put upon it by Parliament it would spend most of its time in arranging the areas.

22162. In reference to that, I think there was originally a clause that you put in giving the Lord Lieutenant power for a year to include or exclude any electoral division which he thought should be dealt with?—Yes; that is so. That had a great deal to do with the Census.

22163. We have been told that the reason of that was that the Census was not finished, and that you could not say till it was finished what congested districts would come under the definition, and therefore you gave that power so as to perfect your scheme after the Census was over. Is that your recollection?—I think that is so, because that is the only reason why the alteration could have been made. I should have no objection in principle to extend that if the Lord Lieutenant felt himself equal to the duty. We have to draw the line, and just over the line you will always find that the conditions are so close to the conditions within that you will see that the people over the line will feel a hardship in being excluded. Of course it is a rough and ready system.

22164. But if there was a power of exclusion as well as a power of inclusion the difficulty would be less, would it not—because having dealt with a district you then discharge it as it were?—Well, I should certainly raise no objection to that if it was at all practicable. Theoretically it is clearly right. My view at all events of the Congested Districts Board was that when it had done its work it might, and ought to, cease to exist; and there would be no greater tribute to its success than that it was no longer required, and if and when it completed its work in any area it seems to be only in accordance with the general theory on which it was constituted that that area should be excluded from the sphere of its operations.

22165. We have been also told that in Ireland it has been found necessary to do certain work like the erection of a bridge just outside a congested district, but the Congested Districts Board have no power to do any work of that kind because the place is just outside the scheduled area?—Is that so?

22166. I believe so. If you had powers like those I have referred to it would be possible for the Congested Districts Board temporarily to schedule with the approval of the Lord Lieutenant, certain areas for the purpose of work of that kind, and when it was finished to exclude it?—I should conceive that that power would be very useful.

22167. If the people in Mayo are given assistance from a Board of this kind, is there any particular reason why people as poor in, say, Westmeath should not also receive assistance?—I think there are only the practical reasons, which I gave. Your question might be extended thus—You are asking whether I see any reason why the population of the slums of Dublin should not receive assistance. They are equally poor; they live under more unsatisfactory conditions.

22168. Is not the population of a town different altogether from that of an agricultural area? The population of a town is always getting an opportunity of earning wages—of taking part in the industries and commerce of the town. They live in a busy centre where there are opportunities of earning money. But there may be areas where the average valuation per head is sent up over thirty shillings by reason of the presence of a domain, which, however, is absolutely useless as an income-producing factor to the people, because the landlord may live away, and cannot therefore give employment. Hence, although the people live around the demesne, it brings them no wealth, while the very fact of its existence puts up their valuation beyond the limitation which you put in your Act. Is that a fair state of things?—I do not know that either "fair" or "unfair" is applicable.

22169. Is it a state of things that should be continued?—I should have thought that it could be continued, but whether it is desirable is a more difficult question. It seems to me that the mere fact that a poor area, limited in size and extent, is surrounded by a relatively large tract where conditions are much better, gives that poor area an advantage which is not possessed by poor areas which are not so placed, and which have no wealth in their neighbourhood. I think they have an advantage in two ways. In the first place there is a certain probability that there is a market for labour in the neighbourhood, and in the second place I should think that the weight of local taxation would be less. In both these respects I think these small congested areas are better off than the large congested areas to which the operations of the Board apply.

22170. But is it not a fact that the richest parts of the country are the grazing districts, and are not these the very districts where there is less employment? Is it not a fact that you can have a poor, poverty-stricken area surrounded by the richest land in Ireland, and if that land, as it probably would be, is grazing land, it would be of no use whatever to the poor area?—I think that probably there are cases of that kind, and I have never denied that if you had a benevolent despot he could make a more rational and defensible allocation of the land than that which you can provide for under the Act. But the practical question is—Are you prepared to undertake the re-distribution of the area?

22171. I am not asking about re-distribution. My point is, supposing you find an area of this kind, is there any objection to allowing the Congested Districts Board, if they have the necessary funds, with the approval of the Lord Lieutenant, to schedule it temporarily for the purposes of relief?—There are two reasons. The first is that if you increase the area of the Board's jurisdiction you must increase its funds, and the other is that you leave it open to every district which is poor, or which regards itself as poor to claim the eleemosynary assistance of the Board. I know of no other objections.

22172. Now I want to ask you about the constitution of the Board. In arranging its constitution did you ever consider whether it would be advisable to have local representatives?—No; I never was in favour of local representatives on the Congested Districts Board. I think it is inconsistent with what I have described as the paternal character of that Board, a character which makes it far more useful for the work for which it was devised, but which, I think, unfits it to be a Board of universal jurisdiction over Ireland. I do not wish Ireland or any country to be paternally assisted or governed. I think it would be demoralising. If the Board is to be of a paternal character I do not think that the representative element would be useful. Directly you have local representatives on a body like this they have what they call duties to their constituents, and their duty would be to see that they get their share of the Board's income. They would contest an allocation of the Board's funds which gave

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more to one district in proportion to population than another. They would always be striving for that kind of arithmetical equality of treatment which I should regard as absolutely inconsistent with the proper administration of the Board's business The representative of a congested district in the South-West would think it his duty to prevent too much going to a congested district in the North-West. You would introduce an element of controversy into the Board from which it has hitherto been free, and would prevent the Board looking at the claims submitted to it with an absolutely impartial eye, and from spending its income and other resources in the very best manner over the whole area under its control. I therefore venture to think that you would not improve the Board if you tried to introduce any representative element upon it.

22173. I do not mean an elected element—I mean an element nominated on account of local knowledge?—But that is done.

22174. Might not the Board be made large enough to include men who had local knowledge of each particular congested district in the country?—I speak with diffidence, but I should have thought that you could not increase the Board by any such addition of members as would give you a really minute local knowledge of the congested areas without making it abnormally large, and that you had much better get your local knowledge by having proper officials under the Board who would really be able to supply that minute information which no doubt is necessary for doing its work. With such assistance the members of the Board would obtain that minute knowledge of the general conditions of life in the West of Ireland which would enable them to turn local knowledge to the best possible account. I doubt whether you would make the Board more efficient by making it much larger, and I do not see that without making it much larger you would carry out the policy of extension.

22175. You think that anything like elected representatives would probably bring considerations into the Board which are best left out?—I think it would not be desirable.

22176. You tell us that you want to keep the Board as free as possible?—That is so.

22177. And you admit that it is a unique institution, unlike anything existing either here or in any other country?—That is my belief. It has been imitated since in Scotland, where there is now a Board on similar lines.

22178. If you had been able to foresee that so much land purchase work would be thrown on the Board and that its income would be so largely increased, do you think it would have made any difference in the decision you arrived at in regard to its constitution?—No, I think not. As I have already told the Commission, as to whether new circumstances that have been brought into existence since the Board was created have rendered further work of the Board necessary I am not competent to speak; but while I was more or less clear that there would be a Local Government Act and that land purchase would certainly be extended, I did not think it would have made any difference.

22179. Let me put it in this way. Do you think there is a limit to the paternal assistance that could be exercised by a body such as the Board at present is?—Yes; I should be sorry to see the principle of paternal assistance carried further than is absolutely necessary.

22180. When you created the Board you had in your mind that it would be a body for giving paternal assistance?—That is so.

22181. Do you consider that the purchase of land to the extent of a million and a half in two or three years is paternal Government or paternal assistance such as you had in your mind?—You are referring to the area of the land purchased for £1,500,000?

Sir ANTONY MACDONNELL.—It is assistance precisely the same as that given by the Land Commission.

22182. Most Rev. Dr. O'DONNELL.—May I put it to you that the assistance which the Congested Districts Board endeavoured to give affected grass and other migration lands and congested estates where the holdings need to be enlarged. These are the two classes?—Certainly.

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The land with which the Congested Districts Board have dealt consists of these two classes; not land in general which needs to be transferred from landlord to tenant, but estates that are either grass land for migration purposes or that are in a condition needing re-adjustment.

22183. CHAIRMAN.—Do you consider that the purchase of £1,500,000 worth of land in two years is within the scope which you had in your mind when the Board was created, or do you think it goes beyond it?—It is precisely similar in character. I did not venture to put any limit to the working of the Board, but no doubt the funds at the disposal of the Board when it was first brought into existence would have rendered purchase to that amount extremely difficult. But the kind of use to which land purchase of that sort has been put, is precisely the kind of use to which I had hoped that land purchase would be put.

22184 Then you do not think it would be necessary to change the present character and composition of the Board if much land purchase work were thrown upon it?—No reason for a change has been brought to my notice, although I do not think my opinion is much worth having on that point.

22185. Do you think it is likely that Parliament would consent to allow a Board such as the present Board is to control a very large annual sum of money. If you gave then money enough to purchase land very rapidly and to borrow £150,000 a year, or gave them an income of that amount, or more, do you think Parliament would be willing that a Board so irresponsible as the present is should have control of so large a sum?—I do not think Parliament would object, provided the congested districts area was to be greatly extended. I do not think that the magnitude of the sum much matters.

22186. You think it does not matter how big the sum is?—I do not see any objection to allowing the Congested Districts Board to deal with large sums.

22187. You do not think there is any difference between your creation of a body of gentlemen with an income of £40,000 a year to give paternal assistance in certain clearly defined areas and asking the same body of gentlemen to purchase land to the value of perhaps one and a half or two millions a year and re-sell it, involving the purchase of the land outside the congested district?—If the congested districts are to be relieved the purchase of land for migratory purposes must be outside.

22188 Can you contemplate seeing this machinery which was set up for much more humble work, employed in the re-settlement of 500,000 people?—It was not set up for more humble work; it was set up for exactly that kind of work, although perhaps on a more humble scale because money was less plentiful. Your question is whether the work should continue while remaining of the same character, and administered by the same body if it reaches a certain magnitude. I do not know that there is any objection in principle to that. It is a matter of experiment.

22189. Is it quite the sort of work that was contemplated? Did you contemplate that there should be land purchase?—The greatest object of the Act was to deal with agricultural congestion. It is quite true that the most obvious way of dealing with agricultural congestion was to consolidate holdings, but migration was certainly part of the scheme as the wording of the Act shows.

22190 But in the Act as it was originally passed I believe it is a fact that the Congested Districts Board could not sell to an occupier under £10?—I have not looked it up, but I do not think that could be done.

Sir ANTONY MACDONNELL.—That provision was repealed in Mr. Gerald Balfour's Act of 1899.

CHAIRMAN.—But it existed up to 1899?

Mr. Gerald Balfour.—The Congested Districts Board, even before the passing of the Act of 1899, could, out of its own resources, at any time purchase and hand over to a tenant a holding under £10.

Most Rev. Dr O'DONNELL.—The position was that the Land Commissioin would not make an advance, but the Board might do so out of its own funds.

22191. CHAIRMAN.—Was it contemplated when the Act was passed that estates should be purchased for migration?—I contemplated that everything should be done without limitation which would diminish the evil of agricultural congestion, and I stated in the House that I regarded that as the most important part

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of the work. Although fisheries and subsidiary industries were also in my mind, I recognised that agriculture was, is, and I think must be, the main source of livelihood of the Irish people.

22192. Did you hope that much might be done through the development of industries?—Yes. I hoped that something might be done I attached more value myself to the fishing industry than to what are called cottage industries—industries that may be classed as manufactures These are rather artificial, and may not have much permanent success. But clearly the fishing must be a permanent success, and the great object was to secure that the people who fished off the Irish coast should be Irishmen.

22193. Do you think it would be very difficult to start ordinary manufactures or industries in the West of Ireland without enormous subsidies to help them?—It is very difficult. I believe that in other countries industries have been started by paternal Governments, but they have always used a very severe system of fiscal protection to guard against their infant stages

22194. Can you hope to see industries established in the congested districts without some means of encouragement either by protection or by subsidies or bounties?—I should not like to return an absolute negative to that, but I confess I am not sanguine of seeing manufacturing industries on any large scale spring up in the West of Ireland.

22195 When people suggest to you means for the creation of industries befitting the condition of the people you are not sanguine?—Not very sanguine of great benefit being produced. I suppose something has been done on a self-supporting basis since I was Chief Secretary. But I do not know that it is on a very large scale

22196. Sir JOHN COLOMB.—With regard to migration, I daresay you noticed Sir Antony MacDonnell's observation that the migrant does get money somehow?—Yes.

22197. Was it in your contemplation to spend State money in assisting people who actually possessed money themselves to improve their condition? Was it not your object through the machinery of the Board to devote State money to assisting people who could not possibly benefit themselves?—I certainly think the Board was called into existence to help the very poor, but I do not know enough of the circumstances of which Sir Antony MacDonnell spoke to know either where these people get their money or what security they give. I heard his remark with great interest, but I have not sufficient knowledge to comment upon it usefully.

22198. These migrants are going to be the tenants of the State. Do you think that if these men borrow the money that will be a very satisfactory feature?—It is far better that a man should have his holding unencumbered than with a load of debt; whether they will be able to succeed with that load of debt, I do not know.

22199. Was it in your contemplation in framing the measure which has had such beneficent results in the West of Ireland that State money should only be applied to help men who had money to help themselves?

SIR ANTONY MACDONNELL.—What I meant to say was that when migrants have got their holdings through the advance by the State they have got assistance from the Board in building their houses, and then a little more is necessary to get farm stock—perhaps £50 or £60—and that is always forthcoming.

22200. Sir JOHN COLOMB.—I understand that in the original Bill the valuation was £1 6*s*. 8*d*. and that it was afterwards augmented to £1 10*s*. owing to the change in the population revealed by the Census. I will quote an answer given by you in the House on 20th July, 1891: "It is a rise in the valuation per head of the population to the extent that for all practical purposes the valuation of £1 10*s* in 1891 covers the same area as the valuation of £1 6*s*. 8*d*. in 1881" I recall that in order to ask you whether seeing that the Census of 1901 shows still further changes which really bring a great many electoral divisions above the £1 10*s*. standard, do you think there should be any power vested anywhere to eliminate from the scheduled areas those which by natural processes have been brought beyond the standard of the congested district? Do you attach any importance to that?—I think I have already stated that there would clearly be an advantage in an efficient machinery for fixing the area of the congested districts if only for this reason, that the Board was started in order to raise the people above a certain uneconomic level of life, and clearly when the Board have carried out that function in regard to a particular area that area might properly be excepted from the congested district. No delimitation is fitted to last for ever without modification. Circumstances change, and it may be desirable to introduce machinery for making that change automatic, or to create an authority which would make the changes on its own responsibility from time to time. But whether it is worth while going to all the time and trouble to bring in legislation with that elasticity is a practical question for the administration on which I should not like to offer an opinion. It is a question for the Irish administration.

22201. You do not attach extreme importance to it as a principle?—I think it is hardly a question of principle I think it is a question of convenience and administrative practice.

22202. CHAIRMAN.—The Congested Districts Board consists partly of three temporary members. What was the idea of having the temporary members?—Well, I am afraid my memory does not supply the material to answer that. I ought to remember, but I do not

22203. You are a temporary member yourself, I think?—Yes I am not sure that I ought to be. I have more than once suggested that I should surrender my position and my colleagues have been so kind as to protest, and I have acceded to their protestations, but I do not think I do much good on it.

22204 CHAIRMAN.—I wanted to know about the arrangement of temporary members—whether it was with the idea of having one or two members of the Board who are not expected to take as much part in the every day affairs of the Board as the other members

22205 SIR ANTONY MACDONNELL.—I think they were to represent particular industries. Mr. Green was to represent fisheries. He is a temporary member. And Father O'Hara represents agriculture?—Yes. I am afraid I am a very honorary and useless member, and never contemplated in the original construction of the Board.

22206 CHAIRMAN.—There is no particular reason why you think this arrangement should continue?—It comes back to me now that the temporary members are contrasted with the official members

22207. Most Rev. Dr. O'DONNELL.—These are the words:—"And also in the same manner to appoint one or more persons not exceeding three to be temporary members of the Board for the purposes of the Board relating to fisheries, agriculture, or other special matters"?—That is why I do not think I am a temporary member under that head

22208 I think there was a minute passed in November, 1891, before I became a member, in which the full Board requested you to act as a member. You have got the minute there, I think?—Yes. I think there were to be two official members of the Board, and including the Under-Secretary, who was an alternative to the Chief Secretary, there were to be three. Then there are to be five other members, of whom three were to be temporary members, representing fisheries, agriculture, and other special matters.

22209 Three in addition to the five?—Yes; in fact that the Board was to consist of an *ex-officio* element. It was to consist of what you may call the ordinary element, and then it was to have an additional or expert element consisting of three temporary members

22210 CHAIRMAN.—Do you see any advantage to be gained by making the ordinary members after a tenure of ten years or other period retire. At present they are elected for life?—Are they? Is that so?

22211 I think so?—I do not see that stated.

22212. "Or for the term of the existence of the Board." Those are the words?—There is no natural limit to the term of their office.

22213. They are evidently limited by the existence of the Board?—Yes. I should not like to give an opinion, but I should think it would be a good thing to have a natural limit in order to introduce fresh blood.

22214. Just to go back to that point where we were at just now. Apparently, at first the Board could not hold land after they had purchased. It could only be held through the Land Commission?—That was a discovery of the lawyers.

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22215. Yes, I believe it was? It was found out in the purchase of the French estate?—Certainly in framing the Act it never occurred to me that the Board would not have had the power to hold land.

22216. You intended that the Board should hold it?—I have not the least doubt. I was very much annoyed at the view given by the law officers on the subject.

22217. Then it was your idea that the Board should purchase the estates out of their own money, or did you contemplate that the money should be advanced out of the Land Commission?—I do not remember whether that case actually arose. Clearly the Land Commission have the power.

22218 Why I ask you about it is, in order to get at what sort of idea you had of the extent of these land purchases when the income you gave the Board was £42,000 a year If you deduct from that a certain amount for the promotion of fisheries and other industries there remains a very small sum for the purchase of estates?—I think the Board had power to capitalise their income for certain powers.

22219. Then you see they had very little money for improving?—Their resources were not large, but whether I should have got the House of Commons to give more is a very different question. They did give them more subsequently, after the Board was found to carry out the expectations I formed of it

22220. Yes, there were various other Acts which practically altered the whole arrangement, and enabled them to go to the Land Commission for the money they wanted?—Yes.

22221 And that, I suppose, embarked them on a larger style of business than they had adopted before. Was it in your mind that they would have to do that? Did you wish them to begin early to purchase?—It was not a provision in the Act, but I wished that the Congested Districts Board might supply the necessary part of the guarantee fund.

22222. Sir Antony MacDonnell.—The Board might buy any land to which its own funds were equal. There was no advance from the Land Commission until it was sold to the tenants. Then the Land Commission made such advances for the sale to the tenants as it would in the case of an ordinary landlord That was the position of things in 1896?—Yes, that is Sub-section b of Clause 37 —"The Congested Districts Board may recommend the Land Commission to facilitate the amalgamation of small holdings, which the Land Commission are hereby authorised to do, whether by the payment of the purchase annuities or of the guarantee deposits, or by a sale to a tenant, or by making an advance towards the purchase of his interest in the holding, and any such advance may be made out of moneys supplied by the Board, and shall be repaid by the annuity charged on the holding, as if an advance was made under the Land Purchase Acts." So that it was distinctly contemplated that the Board should come to the assistance of the purchase operations of the Land Commission in order that small holdings might be amalgamated in that way?—That power was in the original Act, and indicated the general policy on which the Act was founded, but I think it was extended afterwards and made more workable.

22223. Sir John Colomb.—With reference to that, did you contemplate that the work could be effected without loss?—No

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22224. Or if the loss was anticipated, what were the limits contemplated?—I distinctly contemplated that there would be a loss on amalgamated holdings, and that that loss should be borne by the funds of the Congested Districts Board. I am not at all sure that I estimated the character of that loss rightly, but I can give the Commission my argument at once My argument was this. You have two holdings side by side—holding A and holding B. Together they make up an adequate holding; before that they were two inadequate holdings. On each of them there is a house If you amalgamate these holdings you put the tenant of the joint holding in a much better position than he was before, but you evidently destroy a certain residential value that existed before, because the tenant of holding B had a house for which he was ready to pay—was part of the thing for which he did pay—and that is lost In other words, his holding had first, a purely agricultural value, and secondly a residential value. The residential value was lost by amalgamation. That loss, or indeed any other incident to the transaction, but that loss in particular, could be borne, and was intended to be borne, out of the funds of the Congested Districts Board. To put the thing arithmetically; supposing each holding was worth £4 a year, it might well be that the joint holding was not worth £8, because there was still only one residential value attached to it instead of two. Let us suppose the joint holding was worth only £6, that involved a loss of £2 a year. You would have one prosperous tenant instead of two unprosperous tenants. There would be only one house instead of two, but there would be a contribution to the general improvement of the country. I hope I make that clear.

22225. Then I presume it did not appear to you at the time that the operations could be very large for this reason, that if the loss was to be borne by a limited fund at the disposal of the Congested Districts Board, that fund would be in a continually diminishing condition?—No, because it might be borne out of income. But no doubt the operations of the Board were necessarily limited by its funds, and equally its funds were of a limited character. It was sufficient in starting the experiment to give it the capital sum of £1,500,000.

22226. Most Rev. Dr. O'Donnell.—An annual income of £41,250, and some other little Irish funds?—They got that to start with, and if they showed they could carry out the work committed to them, there was always the opportunity for Parliament to increase their resources.

22227. Sir Antony MacDonnell.—There is one question which Sir Francis Mowatt put down, and which I would like to ask in reference to what Sir John Colomb has asked. Did you contemplate increasing the Board's income to enable it to deal with land? I presume, if the Board is to continue to do this work you would be in favour of increasing its income to such a sum as would enable it to cope with the work thrown upon it?—I should like the Board to be adequately equipped with funds to perform those works. And undoubtedly the purchase and settlement of estates was one of its most important functions, and was always understood to be so.

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22228. Sir John Colomb.—As Chief Secretary for Ireland did you become *ex-officio* Chairman of the Congested Districts Board or by resolution of its members?—There is no *ex-officio* Chairman of the Congested Districts Board, but it has always been the practice of the Board to chose the Chief Secretary for the time being as their Chairman, and that was done in my case.

22229. Beyond the usual function performed by you as Chairman did you regard the position and authority of the other members of the Congested Districts Board as co-equal with yours?—So far as the legal position is concerned there was no distinction.

22230. Do you regard as accurate the statement made to the Commission that answers given to Parliament by the Chief Secretary relating to the Congested Districts Board are given "not as Chief Secretary but as a member of the Board," and further that "there is no responsibility in the ordinary sense"?—Well, of course the Chief Secretary is only a member of the Board by virtue of his being Chief Secretary. It is clear he cannot be responsible except in so far as he has supported the action of the Board.

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22231. The Commission has been informed that during the term of office of your immediate predecessor a resolution was passed by the Congested Districts Board, at a meeting at which he was not present, asking for compulsory powers, and that you, being Chief Secretary when the fourth annual report was signed and "not assenting to the terms of the resolution, induced your colleagues on the Board to vary the terms of this report as drafted so as to record merely the fact that such a resolution had been passed." Is that statement in accordance with your recollection, or do you desire to qualify it in any way?—Substantially I think the statement is accurate, but the resolution is as much for more funds as for "compulsory powers." My view was that there was

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a strong case for more funds, but not a strong case for compulsory powers. The Board at that time had very little experience in the purchase and resettlement of estates. I think at the actual date of the resolution they had only purchased one estate—the Ffrench estate—though they might have been in negotiation for the purchase of Clare Island as well. At all events, their experience in this part of their work had been very small. The real difficulty at that time was want of money.

22232. Arising out of that answer, I presume the real question of compulsion could not arise as a practical policy unless there was power to carry it out?—I think compulsory powers were desired by the Board in order that they might acquire land at a cheap rate. If you look at the terms of the resolution you will see it was to this effect:—"The Congested Districts Board are in possession of information, through their Inspectors, that there are large tracts of land which could be used to enlarge the holdings of small occupiers and promote schemes of migration in Congested Districts. The Board are, however, of opinion that it would be impossible for them to give due effect to this important department of their work unless more funds are placed at their disposal and compulsory powers given to them to acquire such lands at their just value." In my opinion the Board had formed an idea of the "just value" of land which by no means corresponded to the market value, and I thought that if they were prepared to offer more generous terms the probability was that they would get quite as much land as their experience in the work of purchase and resettlement would at that time justify.

22233. Did your experiences of the operations of the Congested Districts Board during the subsequent period of your Chairmanship lead you to regard possession of compulsory powers by the Congested Districts Board as a necessary condition of its effective action?—During the time I was Chief Secretary I was never convinced either that enough land could not be obtained by voluntary purchase if a sufficient price was given for it or that matters were really ripe for the treatment of the problem on a large and comprehensive scale. These operations of the Board were still in an experimental stage.

22234. And the experience of the operations was not sufficient to enable you to form a decided opinion as to greater enlargement. You wished to see the Board feel its way more cautiously?—Yes, certainly.

22235. Do you consider that legislation during and since the period you held office have in fact removed the obstacles to effective action which confronted the Congested Districts Board when you first became officially associated with it?—I do think difficulties which confronted the Congested Districts Board when I first became officially associated with it were removed by legislation passed to meet them both during my term of office and subsequently. At the same time the position may have changed since 1900. It may be possible—I am not prepared to say it is, because I have not sufficient information before me—but it may be possible now to deal with the whole question on a comprehensive scale. If it was thought possible to do that, a case might perhaps be made out for compulsory powers.

22236. Did your experience as Chief Secretary and your experience in connection with the Congested Districts Board lead you to think it the way to settle the question of congestion, or do you consider from your experience it necessarily must take a very considerable time to effectively produce results on a considerable scale?—I think the question of congestion is one of the most difficult problems with which a statesman can be confronted. In my opinion a considerable time must elapse, before a complete solution can be effected.

22237. And that the general policy must be to build up as you go on. A heroic remedy might not prove altogether successful. It is safer to go moderately and slowly?—I think the danger of going too fast is at least as great as the danger of going too slow.

22238. CHAIRMAN.—I gather that your view as to the necessity of compulsory powers is founded upon your experience of the land purchase operations of the Congested Districts Board prior to 1903?—Yes.

22239. There is no doubt that since 1903 the land purchase operations of the Board have been very materially enlarged?—So I understand.

22240. It is possible, is it not, that when you begin to deal with purchase operations on a very large scale in Ireland you may feel the need of compulsory powers. If you are only acting in a comparatively small way you would not feel that need?—If you are only acting in a tentative way I think compulsory powers are not necessary. If, on the other hand, matters are ripe for the treatment of this problem on really a large scale which would involve a large amount of land being purchased simultaneously, then I can conceive compulsory powers might be desirable but the problem is a very serious and difficult one.

22241. But the question is affected very materially by the extent to which you are prepared to embark on land purchase operations?—Undoubtedly.

22242. Do you see in principle any very grave objection to compulsory powers being granted to the purchasing authority in Ireland so long as safeguards are taken that the price paid to the landlords under those compulsory powers should be a fair one?—If compulsory powers were granted, undoubtedly precautions should be taken to see that those from whom land was purchased should get a fair price for it, but I still think it would be necessary to show cause for compulsion quite apart from that.

22243. But if compulsory powers were asked for a great public purpose such as the acquisition of a large amount of land for re-settlement purposes, and so long as the landlords were paid a fair price, and their net income assured, do you think then there is any great objection to the exercise of compulsory powers?—No objection in principle. It has been recognised in this country over and over again that for public purposes compulsory powers might be exercised, but whether it is advisable to adopt compulsory powers in any particular case would depend upon the circumstances of the case.

22244. You have got to show cause?—Yes.

22245. There are cases in England of local authorities having power to acquire land compulsorily for allotment?—I believe there is such a power.

22246. And there is also the power we are all aware of, namely, that of obtaining land compulsorily for the making of a railway?—Yes. That power is dependent, of course, upon the provisions of an Act of Parliament passed with regard to each case. There are no general powers for the acquisition of land by a railway.

22247. They have to get their Bill?—Yes.

22248. But it comes within the Lands Clauses Consolidation Act?—Any railway being desirous of acquiring land compulsorily would have to bring in a Bill *ad hoc*. The railway company have to make a case before Parliament. The whole Bill might be rejected or it might be amended in Committee.

22249. Each power has to be given separately in a Bill, has it not?—I am not intimately acquainted with the exact procedure, but I fancy the railway company have to define the limits of deviation within which they may wish to exercise compulsory powers. They have to prove their case with regard to the land within these limits before a committee and afterwards the Bill has to pass third reading in the House in which it has been introduced, and has to go to the other House to be passed there also.

22250. In any case there is precedent for compulsion?—There are plenty of precedents for compulsory powers. I do not think there are many precedents for giving an administrative body compulsory powers. There are plenty of precedents for land being taken compulsorily, but as to general powers given to a body like the Congested Districts Board to be exercised in accordance with their good will and pleasure I do not think you will find any precedent for that.

22251. I suppose in any case you would require to have some machinery by which both sides could put their case before a third body?—I could hardly conceive Parliament would give any body of men compulsory powers to take land without some form of examination into the merits of each particular case. That being so, I think any suggestion that compulsory powers should be given to a more or less irresponsible body like the Congested Districts Board would be a serious proposal, and one requiring a great deal of consideration before it could be accepted.

22252. But in Ireland I understand there is already to some extent a precedent for this. Has not the District Council got general powers of compulsion to acquire land under the Labourers Act with an appeal to the Local Government Board?—In my time I think it was with an appeal to the Privy Council. The

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Local Government Board may have been substituted since I think that is so.

22253. I quite understand that in any case you ought to have some method of appeal, but that would be a precedent for the direct exercise of compulsory powers by an authority in Ireland?—It would be to some extent a precedent.

22253A. Do you remember any case, while you were Chief Secretary and a member of the Congested Districts Board, where the Board wished to purchase land for re-settlement purposes, and were met by an unreasonable opposition on the part of the owner?—No; I do not think I recollect any such case. There were cases, I think, where the price asked was such as the Board decided was excessive, and therefore were unwilling to pay, but I am not aware—at all events I have not within my recollection—any case of a flat refusal to treat and negotiate by the landlord. There may have been such cases, but I do not carry them in my recollection.

22254. Do you think there were cases where the price asked was so high that it practically amounted to a refusal to negotiate?—I should not go that length. In my time I should say the Congested Districts Board were very unwilling to give anything like a high price for the land. They were unwilling to buy land unless they could buy it at a reasonably cheap rate.

22255. Would not your experience lead you to believe that it would be quite impossible ever to obtain a large quantity of land in Ireland at a price which would give satisfaction to the landlord and at the same time which would enable you to resell to the tenants without loss. There must always be a gap between these two?—I think the expectations of the one party would tend to be pitched rather high and those of the other rather low.

22256. Perhaps reasonably so in both cases?—Quite reasonably.

22257. That would mean that in any scheme of re-settlement the first condition would be the willingness of the Treasury to advance a sum of money to be deliberately lost in bridging that gap?—I am afraid I do not follow the question.

22258. If you have got that gap which must always exist, if you are to give anything like satisfaction on both sides, the only possible way you can hope to bridge it is by a large grant from the Treasury?—Well, the gap can often be bridged by bargain between the parties. It is quite true that in bargaining one or other of the parties may hang back and refuse to come to terms, but parties do come together in many cases without the assistance of a bonus. If you are asking me really whether I consider the policy of the bonus, which was adopted in the Land Act of 1903, was sound or not, my answer is that under the circumstances I think it was sound.

22259. I can quite conceive if you are purchasing land in a small way, and you have time to wait till you can buy cheap, and at the same time wait till you can find a tenant who has more money than his comrades, and who is willing to pay a rather higher price, you may perhaps be able to bring them together in regard to a limited quantity of land, but if you are to do the thing on a large scale, you surely cannot hope to bring them together in that way?—That, really, is the point. If matters are ripe for a comprehensive scheme, I think in all probability compulsory powers would be necessary. If matters are not ripe for a comprehensive scheme, if for one reason or another it is desirable to go slowly, then in my opinion compulsory powers are not necessary.

22260. Sir ANTONY MACDONNELL.—What do you mean by a comprehensive scheme?—For instance, if there was a scheme to give to all landholders in congested districts by hook or by crook an economic holding, I would consider that a comprehensive settlement of the question. If it was intended to attempt that I do not think it would be possible to succeed without compulsory powers.

22261. CHAIRMAN.—I do not want to ask any question which you may have hesitation in answering, but if you have no objection to telling me, I should like to know why you said to Sir John Colomb that you thought it was advisable to go slowly with regard to this question, and why you saw danger in going too fast?—Well, I think the problem is an extremely difficult and complicated one. Supposing you were to give compulsory powers to the Congested Districts Board I very much question in the first place whether under those circumstances you would get land on an average more cheaply than you do at present. In some cases you would be able to overcome reluctance to sell and you would get land at a lower price than you would without compulsion. In other cases you would probably have to pay a higher price than a willing seller would accept, because the proper value to be given for the land would have to be decided by an arbitrator, who would certainly not give less than the full value of the land, in view of the fact of its being taken by compulsion. He would probably make an award that would be higher than the price which the Congested Districts Board might have to pay if they purchased in the open market. Over and above that there are a great many matters to be considered. In the first place you have to consider the effect upon the position of the Board itself. I think at the present time the Board has the confidence of all classes. If it appeared in the character of a body armed with compulsory powers of purchase the possibility is it would to some extent lose the confidence it at present possesses. In addition to that, the moment such compulsory powers are given to the Congested Districts Board it would, in my judgment, be overwhelmed from all sides with demands to purchase and a problem, which I do not think has been thoroughly worked out, would be pressed upon it. It might be compelled to attempt a solution of that problem before the conditions had been thoroughly considered. For instance, if the Congested Districts Board had at this moment a large amount of land available for division, and it simply took the course of dividing up that land into holdings that were just economic, and no more than economic, I do not consider that would be really a satisfactory solution of the land question in Ireland, even if the difficulties of migration were got over. I very much doubt whether the establishment of a peasant proprietary with approximately equal holdings which could be justly described as no more than economic would be a satisfactory and lasting solution of the difficulty. Then, again, the proposal to give compulsory powers would undoubtedly raise the further question as to whether the Congested Districts Board, a more or less irresponsible body, is a proper body to possess such powers. The very existence of the Congested Districts Board itself might be involved. It was considerations of that sort during the time I was Chief Secretary, at all events, that led me to think the question was not ripe.

22262. You would not be inclined to take up the attitude of saying that things should not go more quickly than they have done? Let me remind you of what has happened. The population of the areas scheduled as congested is about 500,000. Since the Board has come into existence it has migrated about 289 families. Surely, considering that the Board has been established since 1891, that is not a very rapid rate of progress?—I don't think you should date the operations of the Congested Districts Board in connection with land from the year 1891. Practically, those operations commenced a great deal later than that. I don't think it was until the year 1897 or 1898 that the Board began to purchase upon a large scale.

22262A. I think that is true, but still, as we heard this morning from Mr. Arthur Balfour, and as we see by the constitution of the Board, migration was one of the things specifically mentioned in the Act as being one of the principal things for the Board to do?—Yes. Migration has always appeared to me to be one of the difficulties in the way of a comprehensive scheme. During the time I was Chief Secretary and a member of the Congested Districts Board the difficulties in the way of migration were enormous. The number of migrants we were able to settle on new holdings was extremely small, and I gather that they are not very numerous at the present time. I think until we see our way more clearly as to migration generally and as to the problems of migration it is impossible to go very fast with advantage. The difficulties in the way of migration which we encountered were to a large extent with the tenants themselves, who were extremely unwilling to allow themselves to be migrated.

22263. Were they not due in much greater degree to the attitude of the tenants in the districts to which they were to go?—They were due to both causes.

22264. We have had evidence which seemed to show that if the tenants of the localities to which they were sent could be satisfied the local friction would disappear?—No doubt. My practical experience of the

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problem does not go beyond the year 1900 A great deal may have happened since then Up to 1900 difficulties were encountered not only in dealing with the landholders in the neighbourhood of the land to which it was proposed to migrate small landholders, but also with those small landholders themselves.

22265 With regard to the question of a peasant proprietary you say you don't think it would be a satisfactory solution of the land question in Ireland if the lands which might be purchased were broken up into economic holdings?—I do not

22266. That would only apply, would not it, to the number that you migrated out of your 500,000 in the scheduled districts in the West of Ireland? It would not touch the remaining portion?—You would be obliged to touch all the untenanted lands, all the lands on which tenants are not resident, because you require those lands for migration.

22267. It might mean you would abolish, or to a great extent abolish, the big grazier. It might mean that that class would be very largely diminished, but those large areas over which he at present conducts his operations would be broken up into economic holdings for the migrants. But these are the only two classes that will be affected All the ordinary purchasers who buy under the Estates Commissioners direct from the landlord would not be affected at all by your having a comprehensive scheme of migration. So you would not get an absolutely identical system of holdings all over Ireland?—No, but you would tend in that direction It would really amount to a re-arrangement of the possession of land over a considerable part of Ireland.

22268 But would not the result be much better? Would not you benefit a great number of people who are now living upon holdings which cannot support them, and if you put these people on holdings which will support them, and do it at the expense of a certain number of graziers, would not it, looking at the general condition of the population of Ireland, be a far better arrangement than the arrangement you have now?—I think it would be desirable that some of the grass lands should be broken up and distributed among the small landholders who at present do not possess economic holdings I am not prepared to say that I think all the grass lands ought to be broken up.

22269. I understand you have really got no objection in principle to the point of view I have just tried to express, but merely that you want to see that before a large scheme is carried out the foundations of the scheme should be secured?—Should be sound.

22270. Most Rev. Dr. O'Donnell—Arising out of the question put you by Lord Dudley I notice that you would consider compulsion an advisable process in certain contingencies?—I can conceive compulsion being desirable

22271. You say, however, that there may be this drawback on the part of the Congested Districts Board, that if it were invested with compulsory powers it might to some extent lose the confidence of all classes?—It might.

22272 Would that difficulty be eased off by the following arrangement: suppose the final fixing of a price did not rest with the Congested Districts Board but with an outside body like the Land Commission?—I don't think that that would affect my view of this particular question if it still remained a fact that the Congested Districts Board had powers which might cause it to be regarded by a certain section of the population as an instrument of oppression. It would be for the Congested Districts Board to select, I presume, what estates were to be compulsorily purchased, or what farms were to be compulsorily purchased and what were to be left alone; and I fear that a general sense of unrest and insecurity might be thereby established which would re-act on the estimation in which the Board is held.

22273. At the same time if the Board had compulsory powers it would not be necessary for it to proceed at a great rate to exercise compulsion?—No; but the pressure applied to it to exercise compulsion might be very great, and it might find itself compelled to yield to that pressure.

22274 Would you consider that compulsory powers if granted might be exercised with as much advantage by the Congested Districts Board as by any other public body in Ireland?—If compulsory powers were granted to any body I think they would have to be hedged round by the Legislature very carefully, and whether it would be possible or desirable to give such powers to a board not responsible to Parliament, as I take it is the case with the Congested Districts Board, is one of the questions that would have to be considered.

22275. To what extent do you consider the Congested Districts Board not responsible to Parliament?—I consider the Congested Districts Board practically irresponsible.

22276. The Chief Secretary in the House can answer for his own acts there, may not he?—Yes.

22277. Again, the reports of the Board are submitted to Parliament?—Yes

22278 The Chief Secretary is in a position to report to Parliament what occurs at the Board and whatever he approves or disapproves?—Yes

22279. And Parliament has perfect control to set aside the acts of the Board or to extinguish the Board itself?—I think that before any interference was attempted things would have to go so far that Parliament would practically have to abolish the Congested Districts Board altogether. I don't think Parliament would pass an Act of Parliament for the purpose of altering any decision of the Board. I think they would certainly take the line that if that body were prepared to adopt measures so contrary to public policy as to render it necessary for Parliament to interfere that it would then be better to abolish the Board altogether.

22280. Is there anything in the past history of the Board that would make the Legislature dread an improper use of its powers by the Congested Districts Board?—No I think the Board has been marvellously successful.

22281. Has it occurred to you that compulsory powers can be given with greater advantage to any existing body in Ireland, say the Estates Commissioners, than the Congested Districts Board?—I find it very difficult to answer that question, because I have no experience whatever of the working of the Estates Commissioners, but at present the Estates Commissioners are more amenable to Parliament than the Congested Districts Board. To that extent I should say they probably were a body to which Parliament would be more inclined to give such powers than to the Congested Districts Board, but I don't feel really in a position to answer questions with regard to the functions of the Estates Commissioners, because I have not had experience of them.

22282 Would not you consider the fact of the Congested Districts Board being a paternal authority invested with special powers to deal with congestion would appeal to Parliament as a special reason why the Congested Districts Board should be facilitated in the exercise of its functions if any great programme were on hands for relieving congestion?—I think if the Congested Districts Board could show that it has dealt with the actual purchase and re-settlement of estates more satisfactorily than the Estates Commissioners have done that would certainly be an argument in favour of giving any additional powers to the Congested Districts Board, so far as it went. Whether that consideration would be conclusive I am not prepared to say.

22283. I pass to the questions of which I have given you notice. The Commission is already pretty familiar with the legislation facilitating the Congested Districts Board contained in your Acts of 1896, 1899, and 1901, and I put a question on that subject merely with the object of asking you whether there are any things that occur to you as instructive for the Commission to hear with reference to the provisions of those Acts?—I was not Chief Secretary in 1901. I think that Act was passed when Mr. Wyndham was Chief Secretary.

22284 There were two Acts in 1901?—Yes I think both of them were passed after I had ceased to be Chief Secretary. The effects of the Acts of 1896 and 1899 are quite correctly given in the Memorandum submitted to the Committee by Mr. O'Brien, which was published in the first volume of the evidence. I don't know that I have anything particular to add to what is contained in that Memorandum.

22285. That is true of the Act of 1899 as well as of the Act of 1896?—Yes.

22286 By the Act of 1896 for the first time the Land Commission were authorised to give funds to the Congested Districts Board for the purchase of estates?—Yes As the Commission are aware, the Congested Districts Board had passed a resolution asking for

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more funds, and it was to give effect to that resolution that I introduced into the Act of 1896 a provision enabling the Commission to advance to the Board for the purposes of purchase a sum equal to twenty-five times the annual income from the Church Surplus Grant

22286A. Then between the Acts of 1896 and 1899 the Dillon property was purchased?—Yes.

22287. Before the settlement of that estate could be carried out it was important that public advances should be made by the Land Commission to tenants to buy even small holdings?—Yes

22288 It was not possible for the Congested Districts Board to find as much grazing land as in a reasonable time would enable it to bring up all the holdings on the Dillon estate to an economic level?—It was impossible to bring them up to the level of £10 poor law valuation, which was the limit fixed in the Act of 1896 That limit was well intentioned, but I came to the conclusion between 1896 and 1899 that it would hamper the work of the Board too much. Therefore, in 1899 a clause was introduced repealing that provision in the Act of 1896.

22289 In answer to Lord Dudley you enlarged somewhat on the public disadvantage of having uniform holdings of £10 valuation?—Yes; I think that it probably would be a disadvantage; but at all events that is a matter which ought to be carefully considered before a comprehensive scheme was undertaken

22290 Don't you think that in a comprehensive scheme £10 would be, so to say, a minimum, and that most holdings should be somewhat more than that in value?—If it were practicable to make £10 the minimum then I certainly would desire to see that done.

22291. But when a big scheme of that kind is being carried out there might here and there be numbers of tenants with valuations under £10 who could find occupation on the large farms near them?—Yes. I think that is so. It might be desirable to retain a class in Ireland with holdings which would be rather described as allotments than as economic holdings. Then if you have a certain number of tenants with holdings below what would support a family in decent comfort it would be extremely desirable that there should be some opportunity of labour available to such persons. At the present time labourers in that position go to England and Scotland in the autumn, and, of course, it would be a great improvement if they could find similar employment upon Irish holdings of a size to create a demand for their labour.

22291A When the Act of 1899 was being introduced you held out in Parliament hopes of obtaining a considerable addition to the funds of the Board That hope fortunately was realised, and the advantage to the Congested Districts Board, may I be permitted to say, has been very great; but looking at the speech which you made when introducing the Bill, I wish to ask you whether the financial help given to the Board was quite equal to what you expected it to be I may quote a few of your words. I take this extract from Hansard's Parliamentary Debates, of 17th February, 1899. Mr. Davitt had moved an amendment to the address on the distress in the West of Ireland, and in promising to increase the funds of the Board you spoke as follows:—"The Board shall be enabled to borrow floating capital to allow it to carry out these improvements upon a larger scale. . . . . The Chancellor of the Exchequer has consented to allow the Congested Districts Board to use floating capital for this purpose to the extent of £60,000 He has consented, in addition, to give an actual increase to the income of the Board At the present time the income of the Board is derived to the extent of about £40,000 from the Church funds, and about £6,500 is paid to the Board annually from the votes by the Imperial Exchequer in aid of administration expenses. He has consented in lieu of the sum now paid, amounting to £6,500, to give, under conditions which I need not state here, a fixed grant of £25,000 a year to the Board, which in other words means an addition of £20,000 a year, to the funds of the Board." Of course, that calculation was made in the rough, but it seems that besides the conditions originally contained when you arranged, with the sanction of the Treasury, this expenditure of £25,000 a year, some aids were withdrawn from the Congested Districts Board on the concession of that grant which had up to that time been available. No doubt you stipulated that instead of the £6,500 borne annually on the votes £25,000 or £26,000 should cover all?—I think it was £25,000.

22292. And it was also understood that certain conditions were to be attached. A leading condition was that the Board was to back this expenditure of £25,000 by an expenditure of half the amount from its own funds, making £37,500 in all, and that this expenditure was to have been on administration, estates work, technical instruction But after all these agreements were communicated to the Congested Districts Board, is it within your knowledge that the Treasury refused to allow the aid which the Board previously had obtained from various offices to meet office expenses?—I have not got an absolutely distinct recollection of all these transactions, but I think what happened was this I approached the Chancellor of the Exchequer with a view to getting an additional £20,000 a year in aid of the operations of the Congested Districts Board. The Chancellor of the Exchequer was not willing to make that grant unconditional. He stipulated on his side that it should be applied under certain particular heads, and in addition that the expenses of the head office of the Congested Districts Board should be defrayed out of Congested Districts Board funds. I think I found myself obliged to yield to the demands of the Chancellor of the Exchequer, but on the other hand I procured as a sort of offset in addition to the £20,000 I originally asked for a sum of £5,000, making £25,000. But if I am not mistaken, my impression was that the deduction that would be made from that £25,000 amounted only to £6,500. That is the figure I mentioned in the speech from which your Lordship has quoted. And therefore I was under the impression that the actual positive addition to the funds of the Congested Districts Board would be something a little short of £20,000—about £18,500. Then I found—it may have been my mistake, or it may have been that the matter was not sufficiently discussed between Sir Michael Hicks-Beach and myself—but I found afterwards that the expenses of the head office as understood by the Treasury were larger than I had imagined when I was thinking of the sum of £6,500; and the Treasury insisted upon including a further sum of £2,000. I think that is what happened, but at the same time I would not be absolutely certain that my recollection is accurate.

22293. The understanding at the time was that the £6,500 which covered administration expenses should be deducted out of the £25,000?—Yes.

22294. Then was not it quite unexpected that the Treasury should for the first time stop the aid from the Stationery Office, the Board of Works Office, and the General Post Office, which the Board hitherto had got, putting it upon the Board itself to meet the expenses of printing, stationery, stamps and telegrams?—It was a surprise to me that the amount to be deducted was not £6,500, but a sum in excess of that, but the negotiations between Sir Michael Hicks-Beach and myself were carried on verbally, and I cannot be absolutely certain that Sir Michael Hicks-Beach did not say that the £25,000 was to include the expenses of stationery and things of that sort. I should not like to make a positive statement on that point.

22295. At all events, it meant that the sum was cut down to £16,500 a year?—Yes. It was reduced to something below what I had hoped to get.

22296 When you wish an addition to the income of the Board it is not by going to the Treasury you get it, but by putting it into an Act of Parliament?—I had to go to the Treasury first before putting it into the Act of Parliament.

22297. You did both?—I got the consent of the Treasury first to putting it into the Bill. No member of the Government could put such a provision into a Bill unless he got the consent of the Treasury previously.

22298. But the consent of the Treasury to this grant was not given independently of the Bill?—The grant was made by Act of Parliament, but unless the consent of the Treasury has been obtained to this particular provision there would have been no possible chance of its passing.

22299 My remaining question is as regards the Act of 1899 establishing the Department In that Act were the powers given to the Department as regards industries in non-congested districts more limited than those which had been given to the Congested Districts Board for the congested areas?—Yes; as regards industries they were more limited, but I think the difference was perhaps less than has been generally supposed. As regards what was described in the Act constituting the Department as

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the "purposes of agriculture and other rural industries" the definition is very wide, and I should say that the powers of the Department and the powers of the Congested Districts Board were practically identical, but the Congested Districts Board would be perfectly free if it thought fit to establish any kind of industry in the congested districts.

22300. As regards agricultural and rural industries the powers were pretty much the same?—I think the powers were pretty much the same, but the Board of Agriculture was prevented from aiding urban industries, or industries which even if they could not be called urban were something between urban industries and those industries included under the description of agricultural and other rural industries, otherwise than by means of technical instruction. The Congested Districts Board, on the other hand, was left perfectly free.

22301. For instance, the Congested Districts Board could help to start a factory?—It could.

22302. Not only that, but if so minded the Congested Districts Board could start a factory on its own account with a view to handing over the industry to private enterprise when it was at an industrial level?—It could, but on the other hand, though that may seem a great difference as compared with the powers given to the Department, and is a great difference in theory, yet in practice I don't think the distinction was quite so great as is generally imagined; and for this reason, that in practice the Congested Districts Board was limited in its operations by the well-understood maxim that it is undesirable to use State money in competition with private enterprise. In addition, the very character of the congested districts themselves really prevents the introduction of industries outside agriculture and other rural pursuits connected with agriculture, except to a very limited extent.

22303. Still the power was useful. It gave the Board a free hand with reference to such enterprises as Foxford?—Yes, and the carpet factory in Donegal, too.

22304. And enabled the Board, for instance, to start barrel-making on its own account, and look forward to handing over industries of that sort to private enterprise?—Yes. As regards non-agricultural industries there is no doubt the Congested Districts Board has powers which have been withheld from the Department of Agriculture.

22305. Sir Antony MacDonnell.—With regard to the application of the principle of compulsion to the purchase of land, would you draw a distinction between the purchase of tenanted land and the purchase of untenanted land? Would you consider, as far as the application of the principle of compulsion is concerned, the compulsory purchase of a tenanted estate is on all fours with the compulsory purchase of untenanted land?—No. I think the objections to the compulsory purchase of tenanted land would be more serious than the objections to the compulsory purchase of untenanted land.

22306. With regard to the purchase of untenanted land I would suggest to you that the limit of price which the Board could afford to give would be the price which it could recover from the tenant placed upon the land. That is to say, it could not give a higher price for untenanted land than it could recover by means of the annuity from the tenant purchaser who would be placed on the land. The improvement to the land, draining, fencing, and so forth, and the erection of farm buildings may be taken as the contribution which the Board would make towards the farm; but the highest price the Board could afford to give for the untenanted land would be the highest price which you could hope to recover from the tenant placed in possession?—I think that might possibly be a useful rule of thumb, but I don't think it would be proper to lay down that as a principle. If public money is to be spent on solving this problem I don't see any reason in principle why part of it should not go in the price given for the land.

22307. At all events the amount of money which is recoverable from the tenant purchaser placed on the land would be more or less the measure of the price which the Board could afford to give for that land?—I think that would be a convenient general rule for the Board to observe.

22308. If the Board could not buy untenanted land for such a price would not a case for compulsion then be made out provided the Board could not relieve congestion otherwise?—I think those are rather vague terms. When you speak of relieving congestion, it may be a question of degree. I think I should prefer to say that in my judgment the expediency of compulsion is doubtful, unless it is required to give effect to a comprehensive scheme. Rather than adopt compulsion with all the difficulties which I see would be involved in it I should myself, if I was a member of the Congested Districts Board, be inclined to pay a somewhat higher price, perhaps even a somewhat higher price than I thought was the fair value of the land.

22309. I will come to the question of a comprehensive scheme immediately. But take the circumstances such as we now have them, namely, in which the Board is feeling its way tentatively. The Board has a certain amount of income. It can expend a certain amount of money on the purchase of estates. It cannot go beyond the price which it may hope to recover from the tenant, plus the amount of money which it can afford to expend from its resources for improving the holding and making it fit for occupation. Let me give you a concrete case. Take the case of an estate for which the landlord asks £10,000. The Board ascertains that by dividing that estate into suitable holdings and placing migrants on those holdings it can hope to get from the migrants annuities which will repay £8,000 in 68 years. The Board will expend from its own funds a certain amount of money to improve those holdings to place them in a suitable position to be occupied. That money is limited. The Board clearly cannot give the landlord the full £10,000. Is it not a reasonable thing, having regard to the interests which the Board has to serve, for the Board to say to that landlord:—"Your land is the only land which is suitable for the relief of congestion in this particular locality. You are asking too high a price for it. We think you ought to sell it at a fair price. We don't ourselves take up the position of dictating what is fair, but we ask that it be referred to an arbitrator, the High Court of Justice, or any tribunal that you please to set up." Don't you think, having regard to the interests that the Board have to keep in view, that it is fair that that should be done?—I don't think it is entirely a question of fairness as regards price. It is a question of public policy. Personally I should not care to embark on a policy of general compulsory purchase in Ireland, unless I was quite convinced that an important public purpose would be adequately served.

22310. I don't say general. I am restricting myself to the relief of congestion?—Yes, but the relief of congestion is a national problem. If you were to relieve the entire amount of congestion in Ireland it is impossible to say how much land in Ireland might be affected.

22311. I don't go outside the Congested Districts for the present moment?—If you don't go outside the Congested Districts there is no comprehensive settlement of the question possible at all. In that case it may be regarded as being still in a stage of experimentation. In that case, if the Board considered £8,000 was all it could afford to give to the landlord and the landlord asked £10,000, then it would be the duty of the Board to try elsewhere.

22312. It is not the Board cannot give it. If the Board thinks it cannot possibly recover from the tenant purchaser more than £8,000; if they think £10,000 is an excessive demand and £8,000 is the full price, is it not correct and right, having regard to the duties that the Board have to fulfil, that they should be in a position to say:—"We ask that this matter should be referred to arbitration"?—No, I don't think it is, because the landlord might be willing to sell for £10,000 and unwilling to sell for £8,000.

22313. Yet we have it fully in evidence that landlords will not sell untenanted lands?—I would say myself I should not be prepared to adopt the principle of compulsion to meet that case unless it was clear that the landlord's holding out for £10,000 would cripple a large scheme of national policy. If it was only in that individual instance that more was required than the Board was prepared to pay, then I should say they should abandon that estate and try to purchase land elsewhere.

22313A. I agree so far, if it was only an individual case. But if you have it in general evidence that untenanted land cannot be procured to-day at any price that the Board is able to give, then the suggestion is that a case for reference to arbitration to fix a fair price

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is justifiable?—But I understand that the Board has now something like 50,000 acres of untenanted land which it has not yet distributed.

Sir John Colomb.—To the value of nearly one and a half millions of money.

22314. Sir Antony MacDonnell.—That covers untenanted and tenanted land. The former constitutes a very small proportion. With regard to your statement about a comprehensive scheme, I understood you to say that by a comprehensive scheme you mean a settlement of the question; that is to say, the relief of congestion in the West?—That would certainly be a comprehensive scheme.

22315. That is the scheme with the solution of which the Board is now faced. And the Board is in this position, that when the Act of 1903 was introduced it repeated its previous resolution that without compulsory power to acquire untenanted land it could not deal with the question of congestion in the West. Now it proposes to deal with the question of congestion in the West. That is the comprehensive scheme which you say should be a condition precedent to discussing the question of compulsion at all. Therefore we are in a position now to deal with the question of compulsion, because we say that without it we cannot proceed any further in the direction of carrying out this comprehensive scheme?—Yes; but if you ask me whether I think compulsion ought not to be adopted at the present time my answer would be, I should like to see the scheme first before giving a reply.

22316. After the Act of 1903 was passed, and after the declaration was made in Parliament as to the necessity of proceeding energetically to buy estates in the congested districts in the West of Ireland, in order to migrate tenants from the congested estates, migration being taken as the great solution of the difficulty, the Congested Districts Board immediately proceeded to deal with the question in an energetic manner, and, as has been mentioned, over £1,500,000 worth of land has been purchased within two years. The entire area of land in the west of Ireland which is necessary to purchase in order to have an absolute solution of the difficulty has been estimated at about eight millions worth; so that we are very considerably on the way towards the comprehensive scheme that you have mentioned. Our scheme is the purchase of all congested estates; the migration of tenants, for two purposes—in order to provide them with holdings on untenanted lands, and in order to leave their holdings available for the people who remain. The obtaining of the untenanted land is a condition precedent of this action. Unless we can get the untenanted land no progress can be made with the comprehensive scheme, and we must restrict ourselves to the intensive cultivation or the improvement of the slum holdings which at present exist. Therefore the acquisition of untenanted land is a primary necessity for the effective action of the Board. It is stated we cannot get the untenanted land. In these circumstances is the principle of compulsion not desirable?—I am afraid I can only express myself in general terms. If there is a comprehensive scheme that would settle the question now within sight, and if there is a reasonable hope that that scheme really would settle the question, I think you have gone a long way towards making a case for compulsion, if the scheme cannot be carried out without compulsion; but much depends on the scheme.

Sir Antony MacDonnell.—Thank you. That is all I want.

22317. Mr. Kavanagh.—The resolution of the Congested Districts Board asks for compulsory powers at a fair price. Don't you think what would yield the average net income derived from the land for the past ten years might be considered a fair price without going to arbitration? I am thinking mostly of untenanted land. Where you require untenanted land for the purposes of migration, would not you think that such a capital sum as, if invested at 3½ per cent, would produce an annual income equal to his average annual net income during the last ten years would be a fair price? Those are the Land Conference terms?—I have not considered the question sufficiently. I should not like to answer that offhand. Compulsory purchase would be clearly indefensible except at a fair price. Price certainly is an important element, but it is not the only element.

22318. Do you consider that there would be no injustice to the landlord if he gets such a sum as, if invested at 3½ per cent, would bring him his net annual income?—I should not like to say that. I should think it would very likely differ on different estates.

22319. Most Rev. Dr. O'Donnell.—Would the advantage to the owner of having his net income secured to him in perpetuity not counterbalance any inconvenience resulting from having compulsion applied?—No doubt a fixed income is in itself a desirable thing, but compulsion means that you prevent a man from enjoying an income from the source from which he has hitherto enjoyed it, and which he may prefer to a fixed income.

22320. Perhaps you have not given any special attention to that point, whether giving a man the advantage of having a fixed income in perpetuity is not sufficient compensation for compelling him to sell?—I don't think I should say that; but of course an arbitrator who had to settle what was the fair value of property would take into consideration that if that property were paid for in cash that cash invested in Consols represents a fixed income, whereas rent may be very uncertain.

22321. My supplementary question was this: whether, in your opinion, the relief from uncertainty as to the future was a compensation for the application of compulsion?—No; I don't think I should care to put it that way. No doubt it might be an advantage to get a fixed income, and if it was decided that an estate was to be sold, and an arbitrator was asked to put a value on that estate, he would be bound to take into consideration that the payment for the estate was in cash and the income derived from the estate was in rent, and rents, in the West of Ireland at all events, are a somewhat uncertain quantity.

22322. Sir John Colomb.—With reference to the illustration given by Sir Antony MacDonnell of an estate for which the landlord asks £10,000, do you think that that is an illustration upon which you can base a policy which is this, that the amount which the incoming tenants are prepared to give, or think they can give, is to determine whether the landlords are to lose money or not?—No, I don't think that is a sound principle.

22323. Don't you think it is against all the principles on which legislation has been based in this country, that the man who is coming into the tenancy is in any way to influence the machinery for fixing the price?—I think in estimating the price which ought to be given to the landlord under compulsory purchase you would have to consider what his income from the land was and various other matters, and it seems to me that the price would have to be determined quite irrespective of what the Board considered it could afford to pay.

22324. Sir Antony MacDonnell.—It is the principle on which the Estates Commissioners now act in making bids for land in the Land Judges Court. The law forbids them to lose, and they can only bid for an estate as much as they can hope to get?—It is a very sound rule of thumb for a purchaser.

22325. And it comes out at anything between twenty-three and twenty-five years' purchase of the rents—a price which until recent years was unknown in Ireland?—Yes. It was the principle that I was thinking of, and not the actual price given. It does not seem to me that the price to be given to a landlord who is not, as landlords whose estates are in the Land Judges Court are, compelled to sell, should be determined by what the Congested Districts Board think they can afford to give for the land. There are other elements besides that.

22326. Sir John Colomb.—Would you think it would be right, following out the illustration given by Sir Antony MacDonnell, that a landlord should be brought before a tribunal of arbitration in which he would have to pay the costs simply because he could not fall in with the views of the purchaser?—*Prima facie*, I think it would be unreasonable.

Sir Antony MacDonnell.—I did not say he would have to pay the costs.

22327. Sir John Colomb.—Somebody would have to pay the costs. Do you see any great difficulties, even assuming that the application of the principle of compulsion was justified, in devising the constitution or machinery to carry it out? The State is the purchaser; therefore surely a department of the State ought not be the tribunal to settle the price?—No.

22328. Sir Antony MacDonnell.—There is one

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Right Hon. Gerald Balfour.

point as to which I forgot to ask you. When you introduced the Department Act in 1899, did you contemplate the Department gradually being substituted for the Congested Districts Board in any of its operations?—Well, of course anybody who had had any experience of administration could not fail to foresee that when you had two bodies working in adjoining districts, even in interlacing districts, doing more or less the same work upon somewhat different principles and drawing from different sources of income, difficulties and confusion were bound to occur. I did foresee that, but I don't think that at the time I introduced that Act matters were ripe for the transference of the agricultural and other similar work of the Congested Districts Board to the Department, and therefore I did not propose it. I contented myself with introducing a provision which enabled the Congested Districts Board if it saw fit to hand over portion of its work, and at the same time part of its funds, to the Department of Agriculture.

22329. There is before this Commission a question as to which agency, the Department and the Land Commission on the one hand, and the Congested Districts Board on the other, is the better suited for carrying out expeditiously the work which the Congested Districts Board now does. I don't wish to ask you your opinion on the point if you have not recently given any attention to it; but if you have given any attention to the point, and if you think fit to express an opinion as to which in your opinion would be the better agency, I shall be very glad to hear it?—My view is that, so far as that part of the work of the Congested Districts Board is concerned which does not relate to purchase and resettlement of estates, sooner or later it will have to be transferred to the Department of Agriculture.

22330. And on the other hand as regards the work which does refer to the purchase and resettlement of land?—As regards the work connected with the purchase and resettlement of land I would rather not express an opinion, because I really don't know what the precise powers of the Estates Commissioners are nor how they have exercised them.

22331. Most Rev. Dr. O'Donnell.—When you say that sooner or later a certain class of the work of the Congested Districts Board will pass to such a body as the Department of Agriculture, have you before your mind any fixed period within which the transfer will take place?—If I had felt that public opinion in Ireland would have supported me when the Act of 1899 was passed, I would have been rather inclined to transfer that work at once to the Department of Agriculture; but I did not regard that as a practical question, and therefore I did not trouble to work out the details which would have been necessary if such a transfer had been provided for in the Act.

22332. Since your day a portion of the agricultural work has been transferred to the Department?—Yes.

22333. But mainly with the object of releasing funds of the Board for its estates work?—Yes. At the time the Act of 1899 passed the work of the Board in connection with the purchase and resettlement of estates was becoming more and more important every year, and I certainly contemplated at the time that it was probable that that work would be more than sufficient to occupy the whole attention of the Board, and on that ground alone, if no other, it would be desirable that the rest of the work should be transferred to the Department. Of course since then the Estates Commissioners have been established, and I understand, from what Sir Antony says and from what I have read of the evidence, that there is a proposal that the estates work of the Board should be transferred to the Estates Commissioners. As to that I would not care to express an opinion.

22334. Have you any opinion as to how far the congested districts in Ireland should be brought up to the level of the rest of the country before there is a transfer of the functions that the Board exercise?—It might be necessary to give the Department when dealing with congested districts such special powers as the Congested Districts Board at present possess; but I should not myself be afraid to transfer those powers now; I should not be afraid to transfer that part of the work at once to the Department of Agriculture.

The Commission adjourned.

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FORTY-EIGHTH PUBLIC SITTING.

WEDNESDAY, MARCH 13TH, 1907.

AT 11 O'CLOCK A.M.

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (in the Chair); The Right Hon. Sir ANTONY MACDONNELL, C.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

Mr. J. A. MULLENS examined.

Mar. 13, 1907.

Mr. J. A. Mullens.

22335. CHAIRMAN.—I think you are stockbroker to the Bank of England?—Yes, my firm is.

22336. Has the Bank of England one firm of stockbrokers?—Only one firm.

22337. I think you have been sent a list of the questions which some of the Commissioners are anxious to put. Shall I take them in order?—If you kindly will.

22338. The first one is: What rate of interest can at present be obtained from the investment of considerable sums in (i.) the highest class of Trustee securities, *e.g.*, Government Stock; (ii.) other Trustee securities; (iii.) investments authorised under Section 51 of the Irish Land Act, 1903?—First of all comes Consols, the present price of which is 86, yielding £2 18*s.* 1*d.*; and other Government stocks, such as Transvaal 3 per cent. stock, Local Loans stock, and the Guaranteed 2¾ per cent. Irish stock, which is about 86, can be obtained to pay a clear 3 per cent. Other trustee securities such as English railway debenture stocks, pay 3¼ to 3⅜ per cent.; Indian Government stocks, Indian railway stocks, and English railway preference stocks, 3½ per cent. Also Colonial stock may be obtained now at 3½ per cent.

22339. Sir FRANCIS MOWATT.—Those are Colonial stocks of first class?—Yes, the great Colonial stocks, 3½ per cent. stocks.

22340. CHAIRMAN.—All the stocks you have just mentioned come under the designation of Trustee Securities?—Yes; the Colonial stocks are not what we should call quite first class, but they are allowed under the Trustee Act.

22341. May I ask you why first-class Colonial stock is not practically as good as Consols?—We can hardly compare Colonial stock with Consols. The second question was as to other trustee securities, and I selected Consols and Transvaal and Government stocks as rather standing out by themselves.

22342. With regard to them there is no difference?—No; they are all allowed under the Trustee Act.

22343. And one Government stock is supposed to be as good as another, and all as good as Consols in fact?—Yes.

22344. But you do not regard any other security of any other kind, Indian or Colonial or anything, as being as good as English Government stock?—No, even at the same price.

22345. Sir FRANCIS MOWATT.—When you speak of Colonial stock you include Crown Colony stock?—Yes, Crown colonies.

22345A. Because in practice, of course, and in effect, at all events, that is guaranteed by the Exchequer?—It is not absolutely guaranteed.

22346. The stock is issued with the authority of the Colonial Office?—Yes, but it does not obtain the guarantee of the Government. Then, as regards the third part of the question, "Investments authorised under Section 51 of the Irish Land Act, 1903," this investment clause is, of course, fairly wide, and includes securities which are not allowed under the Trustee Act, so that a relatively higher rate of interest can be obtained for some of the securities which are mentioned here, which are allowed under the Act; but, as a matter of fact, I think that to all intents and purposes at present only trustee securities, what we consider trustee securities, have been allowed. Under the investment clause of the Act they allow several things, even English railway ordinary stock, which of course is nowhere near what we consider trustee investment, and is hardly desirable for trustee investment, because the income is derived from the profits of the year, and must be fluctuating.

22347. Most Rev. Dr. O'DONNELL.—And on the average how much would the return be per cent.?—Well, you could get as high a rate of interest as 4½ per cent.

22348. CHAIRMAN.—What is the position of an investor who has to invest in the trustee securities, a man who sells his land in Ireland, and is allowed by this Act to put his money into securities, which you do not consider trustee securities?—This trustee investment clause apparently goes outside the Trustee Act and would embrace securities which are hardly securities which ought to be purchased.

22349. Then a trustee of Irish property may at the present moment invest in English railway ordinary stock?—No, because you have that veto under the Act.

22350. Sir FRANCIS MOWATT.—Is investment in ordinary securities exceptional?—He is authorised to take out-of-the-way Irish securities which one has no knowledge of here, in this market, such as Baronial Guaranteed Railway stocks. We do not know anything about them over here, but they are guaranteed railway stocks.

Most Rev. Dr. O'DONNELL.—That is a baronial guarantee.

22351. Sir JOHN COLOMB.—Guaranteed by the rates?—Yes. But I might add to that that the amount is very small. I wrote to Ireland asking for a list of existing stocks, and they wrote back to say that at the present moment there is under £20,000 worth of stock available.

22352. Sir JOHN COLOMB.—What do you mean by the amount of stock available?—The amount of stock in the market available for trustee investment.

22353. In the market?—Yes, in the market, available for purchasers.

22354. Sir FRANCIS MOWATT.—But an increase of price might bring more stock into the market, might not it?—Possibly, but I mean that it must be of very limited amount, taking the whole.

22355. Now you are speaking of the securities which the trustee may accept, not of the amount offered?—Yes.

22356. CHAIRMAN.—What is the average return which he has on investments under Section 51?—They run up very nearly to 4 per cent.

22357. Then, roughly, the position is this:—In regard to the first class of securities that we have drawn your attention to you say that about 3 per cent. is the average?—Yes.

22358. And the second class, 3¼ to 3½?—Yes.

22359. And with regard to those investments that the Public Trustee has sanctioned which are contained in Section 51, 4 per cent?—Nearly up to 4 per cent.

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22360. Does that apply to considerable sums—could a large sum of money be invested in the second class?—Yes; a large sum of money. I mean that in the present state of the market there would be no difficulty in getting 5 to 10 millions of stock.

22361. Which give very nearly 3½ per cent.?—Yes.

22362. Sir JOHN COLOMB.—About No. 3, where you speak of a small amount of stock available, presumably if there was no limit there that would force up the price, and that would not give 4 per cent.?—No; I should say not.

22363. It is at the present moment that they yield that?—At the present moment.

22364. If there was a great deal of money in Ireland looking for investment in class 3 people would not get 4 per cent, would they?—They would not unless the Public Trustee allowed them to take other securities, not of the same class

22365. CHAIRMAN.—Are not foreign railways included in Section 51. I mean Canadian Pacific for instance?—No. In the letter I have from Ireland it says that foreign railways having their head offices in London have been allowed, but I can see nothing about it in the investment clause.

22366. Under the Trustee Act investments in foreign railways are not allowed unless those railways are registered in Great Britain?—Foreign railways are not allowed as trustee securities.

22367. Most Rev. Dr. O'DONNELL.—But Colonial railway stock?—Unless the Colonial stock is guaranteed absolutely by the Imperial Government.

22368. If the Colonial railway is registered in London, would its stock come within the range of Section 51?—No; not as I read it.*

22369. CHAIRMAN.—That would not count in any ways as a trustee security?—No; not in any way as a trustee security

22370. How do you think that many Colonial and foreign railways compare with some of the investments mentioned?—I think that some of the very highest class are quite above suspicion. They are quite good; but at the same time they are little availed of There is a tremendous lot of trustee securities now.

22371. Mr. KAVANAGH.—Would trustees be justified in going outside the Trustee Act and investing under that section that you have read?—Only with the approval of the Public Trustee.

22372. Even such as he has already allowed. Would they be justified in going outside the Trustee Act and investing in such securities as you have read out which he has already allowed?—They would be only justified in investing in the securities you have mentioned, I take it, not in foreign railways.

22373. The one or two which the Public Trustee has allowed?—Yes, in Ireland.

22374. You think those trustees would be justified in investing in them?—Yes, in so far as the baronial-guaranteed railways.

22375. But the stock is so limited that it is hardly worth speaking of?—No.

22375A. It would yield the average rate of percentage?—Well, it would if enough of it could be obtained.

22376. But under present circumstances?—Under present circumstances there is not sufficient stock to make any difference.

22377. CHAIRMAN.—If there is room at present for five or six millions to be invested in class two, why do people invest in class one, which gives so small a percentage—is it because it is more easily realisable?—Partly because it is more easily realisable and partly because conservative people like Consols better than Colonial stock. Of course Colonial stock has only been authorised during the last five or six years, from the South African war, and therefore the old Trusts make no reference to the modern Act and are still tied up in Consols

22378. Sir JOHN COLOMB.—Could you say generally that the fluctuations in securities of the second class are greater than in No. 1 class?—No; I should say not.

22379. Mr. KAVANAGH.—But it is cheaper to invest in Consols than in other trustee securities?—Yes, the expense is not so great In No. 2 you can get Indian 3½ per cent. stock, but speaking generally, it would be cheaper to purchase Government stocks.

22380. CHAIRMAN.—Now, could you name half a dozen typical investments sanctioned by Parliament as trustee securities, other than Government Stock together with the rate of interest derivable from such securities on, say, the 31st March, in each of the last five years?—I have a list of securities here.† I have taken these as typical investments:—London and North Western 3 per cent. debenture stock; Indian 3 per cent. stock; New South Wales 3 per cent stock; London County Council 3 per cent. stock; Liverpool Corporation 3 per cent. stock, and I added another Corporation stock, which is not registered at the Bank of England—Cardiff Corporation 3 per cent. stock.†

22381. Sir JOHN COLOMB.—You say that the last-mentioned stock is not registered at the Bank of England?—It is not registered at the Bank of England, at the Transfer Office. And I have taken out, at the bottom, the average yield. I thought it would perhaps be clearer to give the average aggregate yield of the stocks for the year instead of taking them singly one by one, which makes rather a long detail of it. The average yield of these stocks in 1901 is £3 0*s.* 8*d.*; in 1902, £3 1*s.* 0*d.*; in 1903, £3 3*s.* 4*d.*, in 1904, £3 6*s.* 5*d.* (1904 of course was the Russian War, and all first class securities fell); in 1905, £3 2*s.* 9*d.*; last year, 1906, £3 4*s.* 10*d.*

22382. When did you say all the first class securities fell?—The year 1904, the year of this table showing highest yield. It was rather more owing to the Russian War.

22383. Here the average of 1904 is higher?—The average yield, because the securities fell owing to the war.

22384. Sir FRANCIS MOWATT.—Have you considered what the yield would be for the present year?—I am afraid I have not taken that.

22385. That would be still higher?—It would be considerably higher. First-class securities at the present time are about the lowest on record

22386. Sir JOHN COLOMB.—More depreciated?—More depreciated. I should say that the present yield is higher than in 1904, when it was £3 6*s.* 5*d.* It is more like £3 7*s.* 6*d.* now.

22387. CHAIRMAN.—What is the reason of that?—There are a variety of reasons. Partly because so much money is wanted, and therefore there is a great demand for gold, and because the Bank rate of interest is very high.

22388. Most Rev. Dr. O'DONNELL.—And at the present moment how high is the average of the second class securities?—You mean to say securities which are not trustee securities.

22389. Second-class trustee securities?—They would not average more than 3½ per cent.

22390. CHAIRMAN.—Those securities which you have given us here are all contained in second class?—They come under the No. 2 heading, the best of the No. 2 heading.

22391. And none of them averaged 3½—in no year did they average 3½?—No; in no case 3½. At the present time those securities are very much lower than they have been before.

22392. Sir JOHN COLOMB.—Roughly speaking, you say that all those you have selected are lower?—On this list I have given you the very best of the second class that I considered typical, apart from the Colonial securities, and Indian railway ordinary stock.

22393. I mean that taking this list of the typically best class of securities which you hand in, they are lower than they were ever known previously?—Yes.

22394. But even now they do not yield 3½?—No; they would not yield more than 3⅜, or perhaps 3½.

22395. CHAIRMAN.—As far as I can make out there is in the whole of this list in all the years that you have mentioned only one instance in which it has been greater than 3½ at any time—that is, New South Wales stock in 1904?—Yes.

22396. That is the only case apparently?—Yes.

22397. Most Rev. Dr. O'DONNELL.—Should all these be designated as gilt-edged securities?—Quite first class.

22398. CHAIRMAN.—Do you think that when investments are indicated by Parliament, as in Section 51 of the Irish Act, 1903, any additional security is necessary, or is obtained by a veto being given to the public trustee, as is done in that section; or do you think that sufficient security is obtained by limiting the powers of investment to securities marked out by Act of Parliament?—I do not think any additional security would perhaps be necessary so long as there is the veto of the public trustee; that is to say, some of the securities mentioned in the trustee investment clause, in my opinion, are not desirable investments, but so long as the public trustee is bound to look after the interests of

* See Appendix to Third Report of the Commission [Cd. 3,414, 1907], p. 279

† See p. 231.

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the investors and to veto I think the security is quite good enough.

22399. Most Rev. Dr. O'Donnell.—Not desirable investments for trustees, or not desirable in themselves?—For trustees. Good enough in themselves but not for trustees. For an ordinary business man who would look after business matters there would be no harm, but they would be hardly suitable for a trustee.

22400. Mr. Kavanagh.—Why do you say not suitable?—Because, as I mentioned before, English railway ordinary stocks are permitted subject to the sanction of the public trustee, but the income derived from such investments is made up on the profits of the year, and therefore is always a fluctuating one, and they would not be suitable for trustee investment.

22401. How did they come to be suggested, do you know?—I do not know.

22402. Chairman.—I understand that in your view it would be very dangerous for a trustee to invest in a certain considerable portion of the securities which we find in the 51st Section of the Act of Parliament without having a gentleman like the public trustee to veto and to sanction?—Certainly; I think it desirable that he should have power under the clause to veto certain investments.

22403. Sir Antony MacDonnell.—The power of the official trustee would therefore become very great?—Yes.

22404. Chairman.—I suppose it is almost impossible, if you wished, to extend the range of investments that could be properly used by a trustee?—It would certainly give him a great amount of responsibility.

22405. But I mean it is impossible to do that and to be quite certain that the security that you put down on paper will always be a first class security?—I do not quite know in what position the public trustee acts. I take it from the return from Ireland that in the case of investment under the clause they take the matter to the courts and get the sanction of the courts. Whether the public trustee is there and gives evidence I do not know, but the Irish letter says the permission of the public trustee must be obtained before a trustee can invest in anything outside of the usual trustee securities; but no list is published of the securities which are permitted outside.

22406. I do not think you quite follow my point. Supposing you start with the assumption that the ordinary trustee securities do not give a sufficient rate of interest to make it tempting to people who have land to sell and who have to invest the proceeds in trustee securities, and supposing you wish for that reason to enlarge the scope of trustee investments do you believe that it is possible for any man or body of men to put down on paper the names of certain securities which will always be a safe investment from the trustee's point of view?—I should say it would be almost impossible—very difficult.

22407. Are there quite ample trustee securities?—Ample.

22408. Sir Antony MacDonnell.—If a vendor of land in Ireland desires to sell his property and approaches the official trustee, as I understand he may, to ascertain from him the financial effect of sale, he would not ask the trustee to tell him how much he ought to sell for, but he would ask the trustee to say what is the highest rate of interest he can get for the sale proceeds. Would not the power of the official trustee in that way to limit the interest of the investment be an indirect way of fixing the price which the vendor should ask for his property?—It might or might not. It would depend entirely on what rate of investment the landlord was prepared to accept.

22409. If the official trustee said, "I cannot sanction a rate of interest over 3½ per cent.," say, then the landlord would say, "I will not sell unless for such a capitalised sum as at 3½ per cent. will yield me my net income"; so that you leave in the hands of the official trustee the fixing, practically, of the amount of money which the landlord would sell for?—Not necessarily. I mean that he would have to go to the arbitration court to have the value of his land decided upon, and if it was not sufficient for him—suppose he wanted to get £100,000 and it was not sufficient to realise £100,000, therefore he would not sell his property.

22410. Yes, but the case I put to you is that the landlord wants to sell his property to his tenants under the Land Purchase Act and he wants to get for that property the largest sum, of course, that he can get, and invest it at a rate of interest which will be the highest determinable by the official trustee. But the official trustee says to him, "There is a list of investments under that particular section, some of which give 3½, some 3¼, and some 3¾ per cent. I will only sanction an investment which yields 3¼." Does not the official trustee thereby indirectly determine the price which the landlord will get and which the tenant will ultimately have to pay?—That might be the case.

22411. Therefore, there is, if I am correct, an extraordinary power placed in the hands of the official trustee in connection with the determination of the selling price of land in Ireland?—Yes. I follow your point so far, but of course the official trustee would not refuse to sanction any investment in good class securities. I mean that he would not necessarily limit it to 3½ if he could get 3¾.

22412. Certainly not; but if the landlord said, "I would like to sell if I be allowed to invest my money in this particular security which yields 3¾ per cent.," and the official trustee says, "I cannot sanction an investment in that particular security, although it be on the list of securities covered by the section, still, having regard to my conception of my duty as official trustee, I will not sanction 3¾." Does he not thereby determine the price which the landlord should accept?—Then I take it that the official trustee is the same man as the public trustee.

22413. Yes. For this purpose I mean the public trustee under the Land Act?—Well, in that case he would not. I did not know myself that the same person acted in both capacities. I thought that if one wanted to sell one's land in Ireland you went to the Arbitration Court and could have it decided what the valuation of the property was.

22414. No, but you make a proposal to the Estates Commission?—But the Estates Commission has got nothing to do with the re-investment of the money, and, therefore, supposing I am a landowner wanting to sell my land, and that I want to get £100,000, I can always find out from the public trustee how much interest I can get on the shares. My point is that the public trustee is not responsible. I gather that your point is that it made the public trustee responsible for the value of the land that was sold.

22415. The public trustee has a list of securities before him which come within the purview of the particular section, some bearing interest at 3¼ per cent., some at 3½. The vendor comes and says, "Would you advise me, or may I invest my money, or may I count on getting the use of my money in a 3½ per cent. security." The official trustee would be justified in saying, "I will not sanction an investment at more than 3¼." Thereby, for every £100 of yearly income of his property the landlord must get £2,700 plus the bonus. By exercising his discretion in favour of a security not producing anything beyond 3¼ per cent., the official trustee imposes on the State a liability to make a large advance?—He does.

22416. And that places in the hands of the official trustee a very great power?—Yes.

22417. Chairman.—At the same time it is a responsibility which is thrown upon him by the Act. Would it be safe to allow people to invest freely in all the securities contained in section 51 without somebody to control their action?—Not in all of them.

22418. Sir Antony MacDonnell.—But inasmuch as the vendors are rational men, would it not be sufficient that they should be well advised by their legal advisers?—I think that under the Trustee Act they could get every advantage they want without going outside it, and I would not give them every security which is mentioned under the Act. I would eliminate some of them.

22419. Would you also on the other hand eliminate the public trustee?—No, I would not. In my answer just now I stated that I think it is necessary that he should be there, but there are some securities which I think ought to be eliminated.

22420. Then he is to advise the vendors who sell their land and get possession of their money the best way they should invest their money?—Yes.

22421. Do you not think that that is the business of their professional legal advisers?—I think that possibly it is, but this additional power is given to veto it, and he is there in a public position.

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22422. I want to know why he should be in that position?—That I cannot answer.

22423. Do you see any reason why he should be in that position to advise investors as to the securities they should invest in whilst their professional advisers are open to give advice?—I think that if the investment is limited to the ordinary Trustee Act investments you need not have that gentleman there at all.

22424. CHAIRMAN.—That is hardly an answer to Sir Antony's question. It is not a question of whether there is any necessity for a public trustee; but if you go beyond the Trustee Act there is another Act of Parliament which says there is a special list of investments, and then you say there is a necessity for a veto?—Yes, I say there is, because some of those securities ought to be eliminated.

22425. And supposing you eliminated some of those securities which you consider not to be good enough for trustee securities, do you think there would then be any necessity for the veto of the public trustee?—I think not, except as regards such securities as baronially-guaranteed railways that I know nothing of.

22426. Would you be content to stake your opinion that you could eliminate from the list of securities contained in section 51 those securities which you consider objectionable, and be very confident that the remainder which you left in would always be a proper investment for trust money?—Yes; I would stick to the trustee investments.

22427. To the investments contained already in the Trustee Act?—Yes.

22428. Then you would not have extended your trustee investments at all?—My point is that it is not necessary.

22429. Most Rev. Dr. O'DONNELL.—Perhaps you might retain the investments provided in the Act on the following condition:—Suppose that there was no public trustee, but that those who were investing the proceeds of settled estates were bound under the obligation of an Act of Parliament to take care that the investment should be in such securities as at the termination of the trust or on the death of the tenant for life would realise the sum invested?—The trustee securities and all other securities are always fluctuating in value, but I see no harm in a trustee investing in any security of which the interest is absolutely guaranteed. He does not look so much to the fluctuations of the capital amount.

22430. If you were dealing with an extension of the securities perhaps you might eliminate the public trustee on condition that the investor should be bound to secure that on the termination of the trust the money invested should be forthcoming. Do you think you might abolish the public trustee?—Certainly, if investments were restricted.

22431. Sir FRANCIS MOWATT.—Why should not a man who sells his land in Ireland do what he likes with his money except such part of it as comes to him through any settlement?—I see no reason why he should not do what exactly he likes with it so long as it is not entailed.

22432. So long as the vendor can make a sale or settlement, or entail of his estate why should not the return that comes to him be absolutely his to do what he likes with?—I see no reason why it should not be.

22433. Sir ANTONY MACDONNELL.—Why should the official trustee interfere with it?

Sir FRANCIS MOWATT.—What I am dealing with is that portion of the purchase money which is the absolute property of the vendor. Why should not he do what he likes with it?—I believe he should be able to do what he likes with it.

22435. Most Rev. Dr. O'DONNELL.—However, the provision for a public trustee applies to cases in which the property is settled property?—That is my point. I thought that was what his position was—to look after the entail.

22436. Sir JOHN COLOMB.—Do you view the general subject as only including the question of settled property and trusteeship?—Yes.

22437. Now, with reference to what Sir Antony MacDonnell asked you as to the influence of the public trustee in determining the price of land, I want to ask you one or two questions. And first on the programme, take Sir Antony MacDonnell's question on that point merely to refer to those particular investments mentioned in section 51 of the Act, because there is no necessity, is there, for the existence of a public trustee to give advice upon investments that are within the meaning of the Trustee Act?—No.

22438. And therefore the whole point is limited to determining the price of land and to this section 51 of the Act?—Yes.

22439. Now, before I proceed to ask you this question, I must clear the ground as you are not acquainted with the Irish Land Purchase Act. A man contemplating the sale of his estate of course has to calculate how he will stand when he sells, and assuming that he is to get a certain price, he makes up his mind accordingly, and that is the first thing. Then he has also to consider what his income is to be at that price, and he has got to secure his income. Now, having made up his mind to sell, he knows that he certainly will not get a farthing of the money for at least two years, so that not for two years the question will arise as to his investment. Now, I want to ask you this. Do you not think that a landlord or anyone who is in that position, and who is only to get his money in a time two years or more distant, could possibly get any advice as to what will happen two and a half years hence?—No; no man could say.

22440. No man could say, and therefore if a landlord contemplating a sale goes to the public trustee, and says—"If I sell under the Act, what interest will I get two years hence, at least, perhaps, three, four, or five," could any reasonable man be expected to give a sensible answer to a question like that?—No, certainly not.

22441. And therefore, that being so, advice cannot help the landlord at all with regard to the selling price?—He might get 3½ per cent. to-day, and two years hence he might get three.

22442. Expert advice is for a man having his money in hand to invest who might be ready to take advantage of the current price, but nobody could determine what he is likely to get two years hence?—No.

22443. CHAIRMAN.—I suppose that you are aware that during each of the last three years about £5,000,000 a year of land stock was created under the powers of the Irish Land Act. Do you think this has appreciably affected the money market, and do you think it would make much difference if the amount was raised to seven or eight or ten millions a year?—The land stock raised so far has been £5,000,000, £6,000,000, and £7,000,000 and these have not appreciably affected the money market. Of course, care is always taken to bring them out at a proper time. Seven, eight, or ten millions of stock might be issued, but I should say, without hesitation, that £5,000,000 would always be a more reasonable amount and a more easy amount to put on the market than £10,000,000. Of course, a fresh creation of stock should entirely depend on the money market at the time of the issue, and also on the expectation of the value of money. If you have, for instance, a bank rate as high as 5 per cent. a large issue could not be made without materially affecting the price of all first-class securities.

22444. Has the Irish Guaranteed Land Stock become more popular?—It has got into a greater number of hands, and in that sense it is popular, but the price is at present low.

22445. What is it now?—86.

22446. And has it ever been over 90?—Yes, it has been over 90, but I cannot quite tell you the date. The lowest issue of the stock that has ever been made was 87. That is when the original stock was created. The issue price was 87, and it has now gone down to 86.

22447. Do you believe that that stock will ever go to anything like par value?—It would if first-class securities improved also.

22448. What is the relationship between Consols and Irish Land Stock?—Well, if you are floating an issue of stock it gives a higher yield, but it should come out really practically the same price as Consols.

22449. Do you think that the price of Irish Land Stock is affected by the price of Consols?—Oh, certainly; they move in sympathy.

22450. Is it a question what stock happens at the present time to yield the best return?—Not necessarily at the moment, but people expect that a new issue of Irish Stock would be made, and therefore the price is unduly depressed.

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22451. Sir JOHN COLOMB.—And that position of uncertainty must continue till the whole of the transactions of the land transfer in Ireland are completed, because there will always be a probability and practical certainty of new issues, and that must tend to keep down the value of the security?—Yes, somewhat unduly.

22452. CHAIRMAN.—And if Consols went up again over par do you think the Irish Stock would go up with them?—Yes. The Irish Guaranteed Land Stock is 86. If Consols rose to 100 the Stock would rise to 100.

22453. Sir JOHN COLOMB.—Only when all the land transfer transactions of Ireland were completed?—No, because they would go up in sympathy. It might not go up quite so much; I won't say point by point, but it would go up in sympathy.

22454. What you would call a sympathetic rise?—Yes.

22455. In view of your having said that a new issue would tend to keep down the price, I pointed out that as these new issues must go on for ten or fifteen years that must always have an influence adverse to Irish Land Stock?—Yes.

22456. And although it may rise in sympathy, it must till the transaction of land purchase in Ireland is completed always be below Consols?—It will be depressed.

22457. CHAIRMAN.—Supposing 2½ per cent. Consols stood at 100 why should they be at a higher price than 2¾ per cent. Guaranteed Stock?—Partly because Consols are largely held in reserve by all bankers, and therefore, of course, are ahead of everything else. They are almost regarded as as good as £5 notes. You can get your money much easier. The market is far greater.

22458. Sir ANTONY MACDONNELL.—The security is the same?—The security is the same, but the amount of Consols is over £585,000,000, while there is only about £18,000,000 of Irish Stock existing, and therefore the market is greater.

22459. And if more Irish Stock existed it would be more nearly on a parity with Consols?—Yes, on the market.

22460. And therefore it would be good policy to raise a large amount of Irish Stock at once instead of raising it by degrees?—Not necessarily, because you would have to raise it at a much lower price.

22461. Would you raise ten millions at a lower price than seven?—Certainly. In these times it would be practically impossible to raise £10,000,000 at the current quotations.

22462. CHAIRMAN.—But even if you went on at this present rate of issue, in four or five years, or perhaps ten years' time, when there is actually a great deal more of Irish stock on the market and in circulation, do you think then that the dealing in it will have become so much more common that it will approximate to the condition of Consols more than at present?—It will have that tendency.

22463. If that is so one effect of these further issues would be an encouraging and stimulating rather than a depressing effect?—No, because the people know that the stock is to be issued, and therefore if a man came to me, and said—"I want to invest £100 in Irish Land Stock, and shall I buy to-day or wait"? I should say that probably this year there will be a large amount of stock coming out, and it seems to me that it would be almost better to wait.

22464. Sir ANTONY MACDONNELL.—Is it your personal opinion or the opinion of your firm that you could float £6,000,000 on better terms than £10,000,000?—It is the opinion of my firm that it would be easier to float six than ten millions.

22465. I have it on the authority of the manager of one of the biggest banks in London that ten millions could be as easily floated as six?—The view of my firm is that it would be practically impossible unless times were very favourable. That is what we should advise.

22466. CHAIRMAN.—Have you any reason to believe that there is any prejudice against the stock by reason of its name?—None.

22467. You do not believe that anybody would hesitate to buy it because it is called Irish Land Stock?—No.

22468. Now it is commonly called Land Stock; is it not called Guaranteed?—Well, the name is Guaranteed Land Stock. In the City it is called Irish Stock or Guaranteed Land Stock.

22469. But you don't believe that there is any idea that it is an Irish guarantee, but not the guarantee of the British Government?—There is no sentiment.

22470. Sir FRANCIS MOWATT.—I think you have already told us that when the total amount of Land Stock to be issued is completed the fact that there is no more coming would have an influence on the gradual rise in its price?—Yes.

22471. CHAIRMAN.—In consequence of the provisions of the Irish Land Act, about £5,000,000 of the purchase money was invested in trustee securities last year, do you think that these sums seeking investment appreciably affect the market?—The amount so far that has had to be invested has steadied the market, but otherwise that has had no appreciable effect. As to the other question you propose to ask, it has been practically neutralised by the fresh issue of Guaranteed Stock. I mean to say it is from one pocket to another.

22472. Are you referring to Question 6 now?—Yes; I am afraid I am getting farther off, but if you have £5,000,000 to invest, trustee securities have been already created to the extent of the issue of the Irish Guaranteed Stock, and therefore it is only a transfer of securities. It has no appreciable effect on the market.

22473. Most Rev. Dr. O'DONNELL.—From the result of these operations would it not appear advisable to float a larger amount of land stock at a time?—The whole amount of money is not available for re-investment at the psychological moment. Some one has got to absorb these five millions of fresh stock—financial houses, and so on. It is true that the money has to be returned later, but it does not come exactly at the same moment.

22474. Then it is the time?—Time practically does neutralise the effect.

22475. After the lapse of some months?—Yes, after a few months.

22476. Sir JOHN COLOMB.—Can you tell me this: When the Government has made up its mind that by a certain date there must be an issue of stock is the Bank of England informed well ahead that it is coming on the market, or does notice reach it suddenly?—The Chancellor of the Exchequer or the Treasury would warn the Bank that it was proposed to issue stock.

22477. Do I understand you to say that the Government would publicly declare its intention to issue stock?—It must, because you cannot treat a large amount of stock on the same principles on which you can sell a small amount.

22479. CHAIRMAN.—Are there any other securities you would recommend for trustee investments?—No. I think we have now ample trustee securities available for trustee investments. During the South African war about 181 millions of Government Stock was created, and since 1900 trustees have been allowed to invest in Colonial securities, which give an additional amount of 236 millions. Further, municipal borrowings have been on a very heavy and extended scale during the last few years, and taking from our official list the amount of stock included in the last ten years there were available Corporation stocks and trustee securities to the value of over 115 millions.

22480. Sir FRANCIS MOWATT.—That is the increase?—Yes, the increase. From the three sources I have mentioned—the South African War debt, Colonial securities, and Corporation stocks we got, roughly, an amount exceeding 530 millions of British trustee securities.

22481. CHAIRMAN.—How about the interest? The yields are low in these things?—No. They are higher than they have ever been—better than at any time during the last ten years, owing to the increase of securities.

22482. I am taking your three classes. The first is the war debt. What would that average?—During the war, for instance, there was an issue of sixty millions of Consols at 94½.

22483 Was that at 2¾ per cent.?—No; 2½. At the present price of £86 they return £2 18*s.* 1*d.*

22484. That is under three per cent.?—Yes.

22485. That is not very high?—It is not very high, but the more securities there are available for trustee investment purposes tends to increase the rate of interest that can be obtained.

22486. Sir JOHN COLOMB.—Because the capital value is less?—Yes.

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22487. CHAIRMAN.—Can you get with these trustee securities anything like a tempting rate of interest?—Certainly. If you go back to 1896, the year in which securities were at their highest, 2½ per cent. Consols were then 113, and it was not possible in that year to get a trustee security to yield more than 2½ per cent.

22488. In regard to these issues in connection with the South African war, do they even now give you three per cent.?—Not actually Consols, but other securities which were available at that time, and which went down after the war was over. There was the thirty million Transvaal loan issued at par, and that three per cent. stock you can have to-day at 97.

22489. That gives you just over three per cent.?—It gives you 3⅛.

22490. What was your second reason for the depreciation of stock?—The first was the issue of Government stock, the second was the Colonial stock, amounting to 236 millions, and the third was the Municipal and Corporation stock.

22491. What would the Colonial stock average?—Colonial stock would now average about 3¾ per cent.—a little under 3½.

22492. And what would Municipal stock average?—Municipal stock would average practically the same, perhaps a shilling higher.

22493. So that by these processes you have to-day, at any rate, no difficulty in getting 3½ per cent. for trustee securities?—No Trustees are far better off than they were five or six years ago, as there are more securities available

22494. Sir JOHN COLOMB.—You mean trustees who are looking for investments now?—Yes, looking for investments in the same stocks offered.

22495. CHAIRMAN.—Do you think that that state of things will last?—I think we come to that a little later on.

22496. Sir JOHN COLOMB.—Do you consider that the period from 1893 to the present time has from a variety of general causes been exceptionally and specially favourable to investment in trustee securities?—The period from 1893 to 1903 is a very long one. I have taken out the fluctuation in securities, because they fluctuate tremendously. The last five or six years have certainly been beneficial to trustees. But 1893-96 was, of course, a very bad time for trustees to invest. Trustee securities had never been so high. The last five years, on the other hand, have been exceedingly favourable to trustees.

22497 In your opinion are there any reasons for assuming that the influence of policy in relation to the working of the Land Purchase Act in Ireland in the present condition of the stock market would affect the continuance of the very favourable position of high-class securities?—That, of course, is a most difficult question to answer, the chief factors being politics, trade, and the world's production of gold. Now, of course, the first-class securities are extremely low; and it looks as if it would take a considerable time for them to be absorbed and to rise again. But, on the other hand, it is impossible to say clearly what the position may be two years hence. On that it is impossible to give a reliable opinion. No one would have ventured to predict during the South African War, when so large an amount as 60 millions of Consols was issued at 94½, that after the war, with European politics, looking more or less settled, and trade very prosperous, Consols would drop to 85½, which is practically the lowest point they have ever touched since the conversion. Things, of course, may change very quickly, but at the moment the outlook is not very hopeful.

22498 It is not very hopeful?—No.

22499. Then I may take it that in your opinion you cannot calculate upon the present state of things continuing?—No, it is impossible to say.

22500. And the basing of policy in relation to transaction in land purchase on the assumption that the present conditions are going to continue is hardly justifiable?—Undoubtedly. He would be a rash man who would attempt to give an opinion.

22501. You anticipate a continuance of the depression, which in the result is favourable to investors in trustee securities?—Yes.

22502. CHAIRMAN.—You think it will take time?—I think it must take time to recover from the present state of things.

22503. The longer it takes the better it will be for the investor?—Certainly.

22504. Sir JOHN COLOMB.—Are there any means of forming an idea how long it will be?—Well, lots of people express an opinion, but it would be most unreliable.

22505. Most Rev. Dr. O'DONNELL.—In reply to Sir Francis Mowatt, I think you expressed the opinion that where an investor was not a trustee there was no reason why he should be limited to trustee stocks or in any way controlled by the public trustee. Taking Irish vendors of land, I should say—subject to the correction of Sir John Colomb—that by a considerable majority they are not trustees, and that the question as respects these vendors practically concerns the ordinary investor. In regard to Irish investors in general, whether vendors of land or others having money to lend, I gather that you have already said that they could get 4½ per cent. by investing in ordinary railway stock in Great Britain?—Yes.

22506. Is there any further information you would like to put before the Commission in respect of such investments?—No The only point I see is that a man whose property is not entailed should not, in my opinion, be restricted as regards his investments.

Sir JOHN COLOMB.—I do not think he is.

Sir JOHN BARTON examined.

Sir John Barton

22507. CHAIRMAN.—I understand that the first Government valuation for rating purposes was under an Act of George IV. c. 62 (1826) for "a more equal levying of Grand Jury cess and rates"; that the townland was made the unit of price; that the valuation of land was based on a scale of agricultural prices set out in the Act, and that this scale was formed on the basis of the average prices of agricultural produce throughout the principal maritime markets of Ireland?—That is so.

22508 I believe that there are four amending Acts, and that the whole of Ireland, with the exception of six counties had been thus valued, when the passing of the Poor Law Act of 1838 rendered a separate valuation of each tenement necessary for the purpose of levying the poor rate, and as dividing up the townland valuation was not satisfactory, the valuation of the remaining six counties on tenements was made in 1844 upon the basis of net annual value, and that two years later a similar valuation was made throughout Ireland?—Yes.

22509 Sir FRANCIS MOWATT.—How was the valuation on the basis of net annual value arrived at?—It was arrived at on the basis of what a particular tenement would fetch in the open market let to a tenant, the tenant paying taxes and doing repairs, but all improvements being done by the landlord.

22510. That is how it was estimated?—Yes.

22511 CHAIRMAN.—I understand that the existence of two valuations made at different prices was not found satisfactory, and led to the passing of the Valuation Act of 1852, under which the existing valuation (commonly known as Griffiths' valuation) was made?—Yes.

22512 This valuation, I believe, was made for every tenement upon an estimate of the net annual value "with reference to the average price of the several articles of agricultural produce" specified in the Act, "all peculiar local circumstances being taken into consideration"?—Yes

22513. I understand that Sir Richard Griffith commenced his valuation shortly after 1852 in the south when agriculture was not prosperous, and worked up north, finishing in Armagh in 1865 at a time when prices had reached nearly the highest point, and taxes were lower and rents rising, with the result that the valuation in the north is comparatively higher than in the south?—That is so. There is a ten or fifteen per cent. difference in the north as compared with the south

22514. Sir JOHN COLOMB.—You say that in the period elapsing between the commencement of the valuation in the south and its completion in the north there was a rise in prices?—There was great depression when it commenced, and it was finished at a time of considerable prosperity, partly due to the fact that farming was better.

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22515. Sir FRANCIS MOWATT.—Is there any difference between the valuation of tenanted and untenanted land?—No. The valuation was the same. A number of very experienced valuers, after being through the school set up by Griffith for training valuers, examined the soil and sub-soil and on that calculated what the land should produce, the farmer using the land to the best advantage, and there being no interest except that of the landlord. That is to say, the tenement's valuation takes into account all the interests in the land. The tenement valuation is in reality arrived at in the same way as it is in England.

22516. Sir ANTONY MACDONNELL.—Do I understand you to say that the valuation of cultivated land and the valuation of untenanted land is the same?—Pasture land would be valued on exactly the same basis, but the price of agricultural produce would not be the same for pasture land and for agricultural land.

22517. And the result would be that the poor law valuation of tenanted cultivated land would be higher than the valuation for pasture land?—It so happens that it is higher, because prices for agricultural products were rather higher than the prices of cattle, etc., on grass lands I can give the prices as they are now and were then.

22518. Sir JOHN COLOMB.—You are going back to the valuation upon cultivated land?—Yes. The prices were —Oats 4*s.* 10*d.*; present price 5*s.* 4*d.* and 5*s.* 11*d.*, giving an average increase of twenty per cent.

22519. Mr. KAVANAGH.—That is taken from Griffith's valuation?—That is the last valuation made.

22520. You say he began at a low valuation in the south and finished with a high valuation in the north?

22521. Most Rev. Dr. O'DONNELL.—Are you giving the prices of 1852?—Yes

22522. Sir JOHN COLOMB.—I do not understand this. You say that the standard of prices adopted with the valuation in the North of Ireland was the same as that applied in the South Why then was there a difference?—The standard prices remained the same because they are standard prices laid down in the Act

22523. Mr KAVANAGH.—They were not current prices?—Oh, no.

22524. Sir JOHN COLOMB.—If the standard prices were the same in the south and in the north, how did it come about that the valuation was made higher in the north than in the south?—Of course I can only give an opinion on the subject, but I think what happened was that when the valuation commenced in the south of Ireland the country was in a state of great depression, and the appeals that were heard by the Valuation Court reduced the valuation there very much. The effect of that was that values in the south were kept very low. As the valuers worked up towards the north things improved, until when they reached Armagh in 1865 it was practically the most prosperous era in Ireland, and I have no doubt that fact influenced the valuation indirectly Further, farming had improved very much, and was much better in the north than in the south. I think this accounts for the valuation being made higher in the north than in the south.

22525. Then there was no conflict in the standard of prices?—There was no power to alter the standard prices

22526. Mr KAVANAGH —Would you say that the difference between south and north is very great?—I should say from ten to twenty per cent.

22527 There were more appeals in the south than in the north?—Well, in the south everyone was in a state of unrest, and naturally objected to paying any rates at all They appealed wholesale, and the Commissioners who heard these appeals made very large reductions. In the north, on the other hand, nearly everyone was prosperous, and they did not appeal to the same extent. They were more content with their valuations

22528 The valuation in the south was fixed below the standard prices, and in the north at about the same level?—It is very hard to say exactly. It varies in every county.

22529 CHAIRMAN —Would I be right in saying that whilst the valuation of one part of a county is fair as compared with another part of that county, the valuations of different counties are not fair comparative estimates of their respective values?—Yes I consider that the valuations in each county are comparative, and that is the most important condition in making a valuation for rating purposes, because each county is a rating area.

22530. Sir ANTONY MACDONNELL —In regard to the West of Ireland, can you tell me for the whole or for each county what relation the poor law valuation bears to the judicial rents?—I can tell you in so far as the judicial rents which were fixed up to about 1890 are concerned. Since that time the Land Commission have not set out in their returns the valuation of each holding, and therefore we have no returns to show how the valuation and the rent compare. Up to that time I might be able to show in each county how the first term rents compare with the valuation.

22531. You have no information in regard to second term rents?—No.

22532. Take Roscommon. How does it compare with the last poor law valuation? Is the valuation higher or lower than the first term judicial rents?—In Roscommon the valuation is six per cent. higher than the first term rents.

22533. Can you give me the figure for Mayo?—Yes. The valuation is ten per cent. below the first term rents

22534 And Galway?—In Galway the valuation is ten per cent. below first term rents.

22535 Donegal?—The valuation is two per cent. above the first term rents.

22536. Kerry?—The valuation is thirty-two per cent. below the first term rents. That is the lowest in Ireland.

22537. And Leitrim?—The valuation is one per cent above the first term rents.

22538. CHAIRMAN.—What is the reason for that curious difference?—I think it is partly due to the fact that the counties where the valuation is lowest are those in the south. Gradually as the valuers worked north the valuation got higher.

22539. Sir JOHN COLOMB.—Does the valuation include buildings?—Yes.

22540. And where you speak of a comparison of the valuation of land in these different counties I presume you are really comparing those parts of the counties in which the rent has been fixed?—That is so.

22541. Sir ANTONY MACDONNELL.—Is there no means of making a comparison between the valuation and second term rents?—Of course it could be done. It would mean picking out the second term rent of every holding.

22542. Is not that recorded in your office?—No

22543 CHAIRMAN.—Is there any value in the comparison?—I do not think there is myself.

Sir ANTONY MACDONNELL —I think there is, if I could find it out I have an object in asking for it.

22544. Sir JOHN COLOMB.—I understand you to say generally that the intention was to arrive at a valuation on a basis similar to that in England?—The Act laid down the standard of valuation in Ireland as being practically the same as in England.

22545. Then at the time this valuation was made it was assumed to be the fair level value of the holding?—Not a fair rent value of the holding.

22546. But, without considering interests, the valuation at the time it was made was considered to be the fair level value of the holding?—Provided that the landlord built the house and did all the improvements.

22547. I am not taking the value of the holding without the house on it; but without going into the question of interests, and taking everything on the holding as it is?—Yes.

22548 Most Rev Dr. O'DONNELL —The valuation did not discriminate between the landowner's interests and the tenant's interests?—No, the valuation combines them both

22549 Mr KAVANAGH.—Can you give an opinion as to the effect of a revaluation of Ireland?—In my opinion the effect of a revaluation taking the whole country, would be rather to increase the existing figure. The reason why I say that is The valuation at the time it was made was based on a scale of prices which were very low compared with the present prices. Further, the valuation of all other property, which should be made on exactly the same basis as land, is about 20 per cent below the standard laid down in the statute. In the case of houses, railways, canals, and similar property, there has to be an average reduction of about 20 per cent made from the standard in the Act to bring them down to the same rateable value as that on land, so that all should pay their fair proportion of the local rates.

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22550. Than a revaluation would result in increasing the amount?—That is my opinion.

22551. Because the buildings are revalued from time to time?—Yes. Every year we value all the buildings brought before us by the rating authorities, and the towns are going up very much in rateable value.

22552. And a new general revaluation would only be of land?—Revaluation would be a little more, because, as I have pointed out to you, we deduct, say, 20 per cent. from the valuation of houses, and if there were a revaluation it would be necessary to add the 20 per cent. to bring up the value of the houses so as to make them relative with the land value. We now bring the value of the houses down, so that they shall be on equal terms with the land.

22553. Sir John Colomb.—You try now to bring towns down to the value of the land as settled 60 years ago?—Practically that is it. It would be most unfair if we did not.

22554. Most Rev. Dr. O'Donnell.—Were improvements excluded from the valuation when made by Griffith?—No. Sir Richard Griffith valued a farm according to the amount which it was estimated that it would produce at the time.

22555. He did not exclude improvements?—No.

22556. I suppose if it were found now that the valuation of Irish land was higher than when the valuation was made by Sir Richard Griffith the increase would be largely due to improvements made upon the land?—Considerably.

22557. At any rate, an element in reducing the valuation with you now would be the increased price of production?—Yes.

22558. And increased taxation?—Yes, that would all have to be taken into account.

22559. By the way, lest we should forget, with reference to taxation, I think it was said that it did not make so much matter if the valuation were fairly equal over the county?—Yes.

22560. That may be, as regards county rates, but, for instance, in paying income tax would not it have a very important bearing?—It would, to some extent. The income tax payers under Schedule A are in such a favourable position that I do not think they should complain in any case. The income tax in England is paid on the rent, in Ireland you can pay on the rent or the valuation—that is, under Schedule A—whichever is lowest, and, in addition to that, under the Finance Act of 1896, power is given for every payer of income tax under Schedule A to deduct one-sixth for the value of the house, and one-eighth on the land for improvements.

22561. That is very interesting, but all the same, would not the occupier or the owner in the Co. Armagh, as things are now, pay a higher income tax proportionately than the owner in the South of Ireland?—He would, because the owner in the South of Ireland would pay on his valuation, whereas the man in the North would pay on his rent.

22562. Most Rev. Dr. O'Donnell.—Each selecting the lowest?—Yes.

22563. Sir Antony MacDonnell.—If there was a proper valuation would not the valuation and the rent approximate to each other?—No, the valuation would be very much higher than the rent, because the valuation is not only the rent but the interest on the tenant's improvements. To give you a case in point, supposing you take a plot of ground in a country town and a plot of ground in the country. The man in the town, say, lets his plot of ground for £20 to a man who takes it and builds a house on it which costs £1,000. The rent in that case is only £20, but the valuation on that ground would be £20, plus the interest on that £1,000—perhaps £40 more—that is to say, his valuation would be £60. The same takes place in the country. If you want to make each man pay their equal share of the rates, you must take the interest on the tenant's improvements so as to bring it up for valuation purposes to what the man in the town is paying on.

22564. Most Rev. Dr. O'Donnell.—Did Sir Richard Griffith make any deduction on the value of the holding? Did he make any percentage reduction?—I do not quite follow.

22565. Once he made up his mind that the annual value of a holding was so much, did he fix the figure at that, or did he make a percentage reduction such as you make on house property?—Oh, he made no reduction.

22565. Sir John Colomb.—But it was stated that it was five and twenty per cent. below the fair level value?—Yes, I say that the land as valued works out 25 or 20 per cent. below fair value now.

22567. Most Rev. Dr. O'Donnell.—But then the valuation was the fair letting value?—No, I think it was too low.

22568. Sir John Colomb.—I understand that according to Sir Richard Griffith's own statement, and according to what his own record shows, the valuation then fixed by Griffith was five and twenty per cent. under the value of the land?—It was considerably under the value.

22569. We have it on record?—The reduction was largely due to the deductions made by the Appeal Commissioners.

22570. Assuming that the land has been fairly worked, and what was necessary put into it, is not it reasonable to suppose that the valuation of land is now much below its real value? If Griffith's valuation was, on his own showing, five and twenty per cent. below the letting value, and you assume that in the nearly fifty years that have elapsed since, the land has been fairly treated, is not it reasonable to assume that the valuation must of necessity be now very much more below the letting value than it was in Griffith's time?

Sir Antony MacDonnell.—Before you answer that may I interject this by way of question? Did it refer to tenanted or untenanted or to all classes of land?—I suppose it was an average all over the country. Of course it is very much higher in the South and much less in the North.

22572. We had it in evidence that the valuation of the untenanted land was considerably less than the valuation of the tenanted land, and what I wanted to know, before you answered Sir John, was whether the question applied in your mind to the tenanted or untenanted or all the land together, taking all sorts?—I find it very hard to answer what was in Sir Richard Griffith's mind.

22573. Sir John Colomb.—Without distinguishing between one sort of land and another, is it not on record that five and twenty per cent. was allowed as a margin?—I do not remember that exact statement, but it may be so.*

22574. Most Rev. Dr. O'Donnell.—That is the reason why I asked you whether there was any percentage of reduction on the letting value?—We did not find it on our records.

22575. And the letting value was estimated independently of the landlord's interest?

22576. Mr. Kavanagh.—In Scotland, the valuation is the letting value year by year?—Yes.

22577. Do you not think that would be the simpler method?—That is what Sir R. Griffith was trying for by means of a scale of prices, viz.:—What would the letting value be to an occupier in Ireland if there was only one interest, as there is in Scotland? And as a valuation takes a good while to make—about 15 years—he said it would be impossible to make a fair valuation over the whole of Ireland unless you lay down some scale of prices. Otherwise the valuation will alter in different parts of the country. That is what the Act shows, and what he endeavoured to arrive at.

22578. Sir Antony MacDonnell.—As regards this matter, Mr. Commissioner Finucane, who was examined before us, says at Question 15408 of his printed evidence, in reply to a question from Sir John Colomb:—"Now it is to be observed that as regards cereals prices have fallen, not risen, since the beginning of Griffith's valuation. Therefore, so far as relates to what was then cultivated land, the valuation made sixty years ago should be higher than the rent at the present time, because Griffith says he based his valuation on higher prices for cereals than those now prevailing. As regards pasture, then it is the other way. The valuation made by him would be too low at the present day. Three million acres of land, according to the agricultural returns of the Agricultural Department (their report for 1904, p. 81) have changed from cultivation to pasture. After the famine, when the evictions took place, land that was at that time under cultivation was all turned into pasture. Therefore all that land was highly rated in those days as cultivated land. And it is a mistake to say that all the pasture land is very lowly valued—only that portion of it that was then under pasture is lowly valued. Therefore the greater portion of the 3,000,000 acres that was at that time cultivated and is now under pasture was over-rated, and is over-rated up to the present day, and

* See Appendix to the Third Report [Cd. 5414], p. 109, questions 15,437-46, and Note by Secretary, *infra*, p. 261.

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only that portion of it that was then under pasture is under-rated; and it would be an entire mistake to say that the valuation is now or ought to be below the rent." Has your attention been called to that?—Yes, but I think you will find by the appendix put in by Mr. Finucane that he mistook the prices.

22579. Sir John Colomb.—My point is on the five and twenty per cent. May I refer you to the next page, Sir Antony—Page 108, at Question 15437.* I asked Mr. Finucane:—"Did you hear Mr. Wrench, in answer to me, say that Griffith himself acknowledged that to allow a margin, his valuation was really 25 per cent. under the real letting value"? The answer to that is, "That is so." Then, at Question 15446, a clerk handed Mr. Finucane a reference, and he then said this when he was asked, "Taking the fact of the decline of produce?——I beg your pardon," he says, "25 per cent. is the correct margin allowed by Griffith." That is why I asked you was it not the fact that Griffith's valuation, on his own showing, was made 25 per cent. below the letting value?—That is not a statement made on any particular evidence that I know of. I can only say I have not seen it.

22580. Can you not turn it up in your office by search among the official documents of Griffith's valuation? Do you mean to say you never saw that statement?—I never came across it. There may be such a statement, but I do not see how it could be, because the North of Ireland is different from the South, and a general statement of that kind would be of no value unless he dealt with each part separately.

22581. I do not see the force of that, for this reason. You have told us the standard of prices was the same, and that being so, the 25 per cent. would apply equally to the whole of Ireland?—The valuation of the North was much higher than the valuation of the South.

22582. But that does not affect the question whether as a matter of fact Griffith's valuation was five and twenty per cent. all round below the letting value?—I would say that Griffith's valuation was decidedly below the letting value, but I cannot say it was five and twenty per cent.†

22583. With reference to some questions Sir Antony MacDonnell asked you—in your office is there a record of how the holdings were worked at that time—how much was in tillage and how much was in pasture at the time of Griffith's valuation?—Yes; generally. I can show you one of my books. It shows the way in which the valuation was arrived at.

22584. What I want to know is this. By reference to the original books and survey can you tell us on particular holdings how much was in tillage and how much in pasture?—I am afraid not.

22585. Can you go so far as this—to tell us that where land was only in pasture it was noted?—I think generally I could. On looking through the books I find in some cases they mention "the farm is altogether in pasture," but in most of them they mention "partly pasture, and partly tillage." In some cases they do not mention which. This book I produce is a field book which was used in the field, and in which they described each lot. I may mention that a lot is not a farm. A lot is what we call a "quality plot"—that is, an area in which all the land is of equal value. The way Sir Richard Griffith arrived at the valuation of Ireland was to divide each county or rural district into lots of equal value. The valuers then valued every lot. After two valuers had been over every lot and valued the whole county in that way, a line was drawn across the county about two miles wide, and the head valuers were sent over that line or area, and their valuation of it was compared with the valuation made by the original two valuers. If there was more than one shilling an acre difference the whole district was valued over again. The areas were then divided up amongst the farms, so that a farm might have two or three quality lots in it, or it might have only a bit of a quality lot but the valuation was made entirely on these quality lots which we have on our maps still.

22586. Do you think there is information in your office or in your books that would give us some typical instances of farms then in pasture, and enable us to apply the prices then, and apply the prices now to the same farm in pasture for the purpose of comparison?—Well, I could ascertain some particular farms in a particular county or district, and I would have no doubt that I would be able to get a farm or two that was in pasture at that time, with the valuation that was arrived at then, and get a revaluation of it made now.

22587. Taking the standard prices now—you think you could do that?—Yes.

22588. Sir Antony MacDonnell.—I think I asked you to do that some time ago, and I had a correspondence with you on this particular point, and you brought forward certain difficulties which prevented me going any further. I also had the same idea?—I thought you wanted it very much more generally.

22589. I wanted it more generally, but I did not want a valuation of the whole of Ireland. I wanted only a few plots in each county?—I think I could get a few specimen lots.

22590. Sir John Colomb.—Suppose you take Roscommon and Meath farms that were then in pasture, and take them as typical cases?—Yes.

22591. That is exactly what I want?—I will endeavour to have it done.‡

22592. Sir Antony MacDonnell.—That is what I wanted also—to have both tenanted and untenanted land valued in order to make a comparison.

22593. Sir John Colomb.—But there is no record of farms—no means of getting from your books how much was in pasture and how much in tillage?—No, the notes relate chiefly to soil and sub-soil, and in some cases state how it was worked and whether it was in tillage or pasture; also wherever there was mountain land, how it was used, and whether for cattle or sheep grazing, and in large holdings the valuation was divided according to the number of cattle or sheep on the lands.

22594. Would mountain land show separately?—Of course all qualities of lands are valued separately.

22595. And the mountain land would be a quality lot?—Yes.

22596. Then the valuation of those lands then could be compared with a valuation of those lands now?—Certainly.

22597. Taking prices then and prices now?—Yes, any particular lot could be re-valued. If we had the valuation then, it could be re-valued now.

22598. Chairman.—To go back to the questions of which I have given you notice. I take it that the want of uniformity in valuation in different districts, whilst causing no substantial injustice as regards local rates, does matter if you want to compare a rate per £1 that is levied in one part of the country with what is levied in another part of the country. I think you have already dealt with that?—Yes, that is so.

22599. I take it that the want of uniformity in the valuation may be the cause of injustice as regards the payment of income tax under Schedule A and under Schedule B where such tax is paid? You have dealt with that also?—Yes, I think so.

22600. We understand that Griffith's valuation was deliberately based below what would be a rack rent at the time. If this is so can you tell exactly how much the reduction was, and how it came to be made? That you have also dealt with?—Yes.

22601. Sir John Colomb.—Your answer to that is that you cannot?—I cannot say how much.

22602. Chairman.—My next question is, can you hand in a return showing how the valuation now compares with (*a*) first term rents, (*b*) second term rents in each county in Ireland. Would I be right in saying that the valuation should not correspond with the judicial rent because the valuation should be based on the gross value of the land, whereas in a judicial rent deductions must be made for tenants' improvements?—I have already said that I could hand in such a return up to a certain date.

Sir Antony MacDonnell.—That would be really worthless for our purposes.

22603. Most Rev. Dr. O'Donnell.—Have not we a return of the percentage of reduction in second term rents in each county. Hence it should be possible to get almost all the information. There is the valuation and the first term rents in each county and the reduction on first term rents involved in the fixation of second term rents?—Yes, for general purposes.

22604. Sir Antony MacDonnell.—In the case of Mayo and Galway and Donegal and Leitrim, the reductions on second term rents have been considerably over 15 per cent.—nearly 20 per cent.—so that the

* See Appendix to the Third Report [Cd. 3414], pp. 108 and 109

† See p. 261

‡ *Note by Witness.*—From the information available it was not found feasible to give the Returns asked for in the form required.

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rent would be below the valuation. I mean the second term rent?—Yes.

22605. Only in Kerry would the rent exceed the valuation?—Yes.

22606. Sir JOHN COLOMB.—I suppose you cannot give the Commission any idea as to this—whether it would be possible for the value to depreciate 20 per cent. in 15 years. You do not apprehend that if you were making a re-valuation every 15 years you would find differences of 20 per cent.?—I do not think so.

22607. Do you know any country where that happened?—No.

22608. Therefore there cannot be any question of true comparison between valuation and rents fixed by the Court?—Certainly not.

22609. Sir ANTONY MACDONNELL.—The inference would be that the valuation was too high. The valuation did not change, but the rents changed, and now with the ebb of the tide and the changes that caused the fall, they have come down below the valuation?—Yes.

22610. Sir JOHN COLOMB.—Take the case of the valuation and rent of the land thirty years ago. The first term rents were fixed and 20 per cent. came off the rents, which brought them to about the level of the valuation. Fifteen years later the second term rents are fixed, when another 20 per cent. is taken off that. You do not know any circumstances with regard to the land, do you, that would justify a reduction in the value of land of 40 per cent. in 30 years?

22611. Sir ANTONY MACDONNELL.—Before you answer you must consider that in fixing second term rents, the tenants' improvements were brought under consideration, while in the first term rents the tenants' improvements were assessed with rent, so that the second term reduction was largely due to the elimination of the tenants' improvements. It could not be understood that if there was a third term rent fixed there would necessarily be anything like the same reduction?—You could not compare the present judicial rent as fixed with the rate book valuation at all.

22612. Sir JOHN COLOMB.—Griffith's valuation was scientifically made?—Yes.

22612a. And we have it that the judicial rents are fixed very much on the *ipse dixit* of whoever was the valuer, and not on any sound logical basis at all?

22613. Most Rev. Dr. O'DONNELL.—A fresh valuation would cover both the interest of the landlord and tenant on the holdings?—Certainly.

22614. The rent is fixed to cover only the landlord's interest. Is not that so. Hence the rent and valuation should be different?—That is so.

22615. Sir JOHN COLOMB.—The improvements of the tenant diminishes the landlord's interest in the land. Is that so?—I do not think so.

22616. What the Bishop says is that there is first the value of the land, and then there is the landlord's interest and the tenant's interest, and that the reason of the reduction is the improvements effected by the tenant. If that is so, I ask you whether an improving tenant is not the worst thing that a landlord can have, if he reduces the landlord's interest in the land?—I could not answer a general question like that. You must take each individual case and see what the result is.

22617. Most Rev. Dr. O'DONNELL.—When the tenant improves relatively to the landlord's interest, the interest of the tenant goes up, but the interest of the landlord does not necessarily go down?—No.

22618. In fact, under the land law, it is made to go up. Is not it a fact that under the land laws a certain proportion of the improvement value derived from the inherent improvability of the holding goes to the landlord?—I should say that when a tenant improves his holding he improves the landlord's interest also, more or less indirectly. Of course the actual improvement of such things as houses and drains would benefit the tenant only, but the improvement of the land would, to a certain extent, go to the landlord.

22619. The CHAIRMAN.—How far is the valuation of a holding taken into account when the rent is fixed by the Sub-Commissioners?—I do not know.

22620. Is it a large or a comparatively unimportant factor?—I do not know.

22621. Sir JOHN COLOMB.—Is it not the case that since 1890 they do not even regard the valuation—they do not even take any notice of it?—That is the case, I understand.

22622. The CHAIRMAN.—Therefore it is not a very large factor in their determination of what rent is payable. Again I ask what is the relation, or is there any relation at all, between these two things. Does not the question of rent depend upon things altogether outside the valuation as fixed by Griffith?—Yes, the rent should be a proportion of the valuation, but it would not be a uniform proportion.

22623. And if the farm or holding has been much improved since Griffith's day, although you have a new valuation as regards the buildings, you cannot take Griffith's estimate of the value as being any kind of indication of what the state of the holding is now, or the value of the holding?—No, because there should be a new valuation to arrive at the present state of the holding.

22624. Therefore, the estimate of the rent would have to be based upon conditions that are perfectly different now from what they were sixty years ago?—In a great many cases. The drainage and other improvements of the land, for instance, would have to be taken into consideration.

22625. Sir FRANCIS MOWATT.—Take the case of a tenant on an estate which has been valued, and that the valuation is 25 per cent. below the letting value of sixty years ago; and he becomes a tenant purchaser and gets 25 per cent. off his rent to take the form of an annuity. His annuity is really 50 per cent. below the letting value sixty years ago of that land?—Yes.

22626. CHAIRMAN.—Would we be right in saying that the valuation of the land does not correspond with the judicial rent because the former is based on the gross value of the land, whereas in the judicial rent reductions must be made for tenants' improvements; that you have practically dealt with. I understand that an annual revision of the valuation of Ireland is made each year by your department, but that, leaving the holdings out of the question, the total valuation of the lands within each townland cannot be increased or lessened. Is this in consequence of the Valuation Act of 1852?—Yes. The valuation of the land does not alter at all, except in so far as where, through the encroachment of towns, land is taken for building ground and ceases to have any agricultural value. The result is that since the valuation was made it has gone down about £30,000 in the whole of Ireland.

22627. Sir JOHN COLOMB.—What has gone down?—The total valuation of land is about £30,000 less than it was in Sir Richard Griffith's time.

22628. That is due to deductions made by changes made in the boundaries of towns?—Yes, and by erosion from the sea and matters of that kind which have reduced the area of agricultural land, and it would further be reduced by the construction of railways.

22629. CHAIRMAN.—Have you not got a credit side to the ledger?—Only a very small amount of reclaimed land has come in to be valued as agricultural land in Ireland.

22630. But if the valuation of the land from the agricultural point of view has decreased owing to the encroachment of towns, have you anything to show the increased value in the form of houses?—Oh, yes, the land is then valued as part of the house property and, of course, bears a very much higher value than as agricultural land.

22631. Quite so. It is only the agricultural valuation that has decreased, but the general value of the country has increased?—Very much. I can give you the figures. The land valuation was about £9,000,000, and all other property was £3,500,000. The land valuation is about the same now—£9,000,000—but all other property has gone up to £5,780,000.

22632. Sir FRANCIS MOWATT.—Does all other property extend beyond buildings?—Yes, it includes railways, canals, waterworks, &c.

22633. Sir ANTONY MACDONNELL.—Does it include farm buildings upon holdings?—Yes.

22633a. Then land values have increased. The holdings participate in that increase of over £2,000,000 odd?—To a small extent, yes.

22634. Sir JOHN COLOMB.—In your books are the sorts of houses classified—towns and villages are valued at the fair letting value?—Yes.

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22635. What rule do you apply in valuing houses as part of an agricultural holding?—You mean farm houses—farm buildings?

22636. Yes?—Their value is based on the cost of the building, and if we find that a house is very much too large for a holding, as often happens, where a house that belonged to a landlord has passed into the hands of a farmer with, perhaps, fifteen or twenty acres, and is very much too large for him, then in those cases we make a very large reduction so as to bring that house down to a proper valuation for a farmer owning that amount of land.

22637. Sir JOHN COLOMB.—Take the case where the house has been turned into a hotel—what do you do there?—We value it as a hotel.

22638. You have given us some interesting figures as to the rise from £3,500,000 to £5,750,000. Can you differentiate between the farm houses and the rest—what has been the increase in the value of these houses on farms?—I am afraid I could not without going through the whole lists.

22638A. Because it might throw some light on the progress of Ireland or the changes that have taken place?—It would be a very expensive return to make.

22639. You could not do it?—Not without going to a very large amount of expense, but of course it could be done.

22640. Would it take very much to do a certain county?—Not so much. I could not say exactly how much it would mean going through every item in a county. We would have to take the value of the original house, and would have to follow down each year to see where the house was improved, and find out whether the house existing now in the valuation lists is the same house as existed originally and, if so, how much had been spent on it.

22641. There is no classification of houses into first, second, and third-class houses—you would have to go to the Registrar-General for that?—Yes.

22642. I suppose he would be able to give some information of that sort?—Yes. He has in the census returns divided the houses into different classes.

22643. Your office cannot give the information as to what was the value of the houses on the old agricultural holdings in Griffith's time and what it is now?—No.

22644. Sir FRANCIS MOWATT.—You have said the valuation of all other property was three and a half millions. In what year was that?—That would be about 1870, just after the valuation was completed.

22645. It has now risen to five and three-quarter millions?—Yes.

22646. But have not railways and works like that contributed very much to the increase under that heading?—They have to some extent.

22647. Do you think, then, there is room for the towns to increase greatly if their additional valuation has to come out of that two and a quarter millions of increases?—Yes. The railways account for a very small part of that. Take the case of Belfast alone, the increase there is enormous. In Belfast in 1871 the valuation was £426,000. In Belfast this year the valuation is £1,478,000.

22648. Sir ANTONY MACDONNELL.—That is really an increase of £1,000,000?—Yes.

22649. That accounts for half of the total increase almost?—Yes.

22650. Sir FRANCIS MOWATT.—How much of that is railways?—A very small amount. I have not got the exact figure, but the total valuation for railways and canals in Ireland is £727,000.

22651. Sir JOHN COLOMB.—Were there many railways in Ireland in Griffith's time?—There were twenty-nine railways in Ireland in Griffith's time. A great many of them were portions of the present railways and have been amalgamated since.

22652. You could not give us the mileage in the time of Griffith's valuation and the mileage now?—I could make it out, but I have not got it here.

22653. CHAIRMAN.—I understand that the chief difficulty in the way of the re-valuation of Ireland lies in the fact that few Irish farms are now let in the open market at a competitive rent, and that consequently the test of the rent actually paid (which renders valuation to a great extent automatic in England) is not available in Ireland?—I do not think there is any difficulty about re-valuation in Ireland now. It is more a question of policy, whether it is desirable to have a re-valuation going on at the same time as sales of land in Ireland.

22654. Is there any great demand for re-valuation in Ireland?—No, not any very great demand.

22655. And any demand that there is comes from which class?—The only demand there has been lately made has been from the Corporations of Belfast and Dublin for a re-valuation of their cities, and that has been carried out in the case of Belfast, and is being done in the case of Dublin.

22656. So far as the agricultural land is concerned there is no demand for re-valuation either on the side of the tenants or on the side of the landlord?—Not lately.

22657. No doubt that is because machinery for the fixation of rents is apart altogether from considerations as to Griffith's valuation?—I think the feeling is due chiefly to the fact that the people have been paying their rates on Griffith's valuation for a great number of years, and they are comparatively satisfied; there is no demand for a change.

22658. If there is a change and if it brought out a result higher than the present one would that do more than affect the rates? Would it affect the question of fair rents at all?—Not at all; the fact of a valuation being high or low is, as far as local rates are concerned, quite unimportant. It is merely a question of levies on an equal basis on different people in the same rating area. Suppose to-morrow we were to raise the valuation of a whole county by 10 per cent. it would not make any difference to anybody so far as local rates were concerned, but if you raise one man's by 10 per cent. and another man's by 20 per cent. then it makes a great difference to them.

22659. Sir FRANCIS MOWATT.—It would reduce the rate of the rates, so to speak?—Yes.

22660. It would not be the same percentage?—You have got a certain sum to raise, and you would divide that between a certain number of people.

22661. CHAIRMAN.—The only result of re-valuing the country would be that you would raise the valuation of people who are valued too low at present and reduce the valuation of those who are valued too high, and that would make them more equal?—There is inequality at present.

22662. As the people who rated low are in the majority there is not any great demand that there should be re-valuation?—I don't think you can infer that. Each person thinks his valuation is high enough, very naturally.

22663. What is the question of policy that constitutes the difficulty in this case?—The difficulty in regard to policy in this case is that you have now the Land Commission valuers valuing for fair rents and for purchase, and to bring in another body of Government valuators would be a very unwise thing to do, and would lead to a great deal of confusion. It is therefore advisable to postpone a re-valuation of Ireland for rating purposes until after land purchase is completed.

22664. Do you think you might have people working on the same land for two masters, as it were?—No, but the Sub-Commissioners are valuing for a fair rent, the valuation valuers would be valuing for a fair rating value, which is not the same thing, and I think that it would lead to a great deal of confusion if you had two Government Departments making a valuation of the same land. Their valuation would necessarily be different, but the majority of the tenants would not understand why, and this would cause a great deal of confusion. That was the view that the Valuation Committee took, and I am using the words of their report in saying that it was not desirable.

22664A. Sir JOHN COLOMB.—You mean a Committee of the House of Commons?—Yes.

22665. The CHAIRMAN.—Was that Committee appointed to inquire into the valuation system?—Yes, as at present in Ireland.

22666. Sir JOHN COLOMB.—You were examined at some length before that Committee, I remember?—Yes.

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Sir John Barton.

22667. I think you informed the Committee it was within your contemplation some time ago that re-valuation would be desirable, but you finally came to regard it as impracticable in view of the Land Purchase Act. Was not that so?—Yes.

22668. As regards the effect of valuation on rent, you answered Lord Dudley on that point, but if it be true, as many assert, that the valuation of Ireland is far below its real value now, it would affect the question of income tax, would not it?—Yes, wherever the valuation was above the rent.

22669. You said that the difference between the valuation and the rent fixing was that the one was the fair rating value, and the other was the rental value?—Yes.

22670. Surely if a valuation based upon the same principles prevailed on this side of the water the fair rating value would really be the fair rent?—Yes, if the conditions prevalent in Ireland were similar in England.

22671. I understood you to say Griffith's valuation was based on that principle. It was to arrive at valuation, which then was a synonymous term almost to letting value?—Yes.

22672. If re-valuation took place you would call it re-valuation, but it really would be the fair-rating value on the same basis provided the land came into the hands of the landlord?—Provided the land was in the hands of the landlord and that he was prepared to rent it in the open market.

22673. Quite so. The division as between landlord and tenant is another matter?—Yes.

22674. But the valuation if carried out now on the principle of Griffith's valuation would represent the fair letting value and the valuation so carried out would be on the same principle as exists in Great Britain for the fair letting as well as rating value?—Yes.

22675. When you are dealing with untenanted house property—take the case of licensed houses—do you not take into consideration, or is it taken into consideration, the price given for the tenant right or occupation interest of the premises so valued?—Yes.

22676. Would it not be a factor, in arriving at the fair rating value, the prices given by the tenants to each other for the occupation interest?—Yes, so far as it is the fair value it would be.

22677. Sir Francis Mowatt.—What is fair value?—I take it in this way. Very large prices have been given for tenant right in certain localities because of the peculiar circumstances. Those cases should be eliminated, and we should ascertain what the fair tenant right value of land in particular counties was. I did this some years ago for the purpose of seeing how far it would work out in making re-valuation, and found that in every county there were a certain number of cases where extraordinary high prices were given for tenant right. On examining those I nearly always found there were some outside questions which affected those big prices, such as the land lying next the purchaser's farm, and a consequent determination to have it no matter how much it cost.

22678. But the fair rent value, that is the average one, throughout the country, would be a factor?—Certainly.

22679. And I presume a very substantial factor in cases where the seller's interest was determined by the Court?—Yes.

22680. Sir John Colomb.—If the tenant wants to sell his occupation interest the landlord has the right of pre-emption. He must name a price, and if they do not agree the Court determines what is the fair value to purchase, and the landlord, no matter what it is, is bound to carry that out. There would be no question about it. It would be an element in arriving at the valuation of the land?—Yes, for rating purposes.

22681. Sir Francis Mowatt.—The word "it" is a little confusing. You would not take any actual offer made for tenant right on a particular farm as an element in considering the purchase, but you would take what was the fair valuation, ascertained in other ways, of that tenant right?—Yes.

22682. Not the offer, therefore, but ascertained from other sources?—The value obtained from other sources in conjunction with other circumstances.

22683. Sir John Colomb.—My point was that with regard to particular cases where occupation interest was really settled by the Court the award would be accepted at once as a factor in the valuation of the holding?—Yes, in conjunction with other circumstances.

22684. Chairman.—I take it that if a re-valuation were being made it would have to be based upon an estimate not only of the landlord's interest, but also of the tenant's interest, and I believe that at the time of Griffith's valuation tenant right was recognised by the law only in Ulster, and that he included in the valuation, interest on the tenant right there. Is that a fact?—I think the valuation in Ulster was made as it was in other parts of the country, by the careful consideration of the soil and sub-soil and what the farm ought to produce to the tenant, and I cannot find he divided it in any way, as the two interests would be included in such a valuation.

22685. Mr. Kavanagh.—And would that be the reason for the higher valuation of the north as against the valuation in the south?—No.

22686. Griffith's did not take the fact of the Ulster tenant right into consideration?—Not as an addition, but he noted after he valued the whole of Ireland whether there was a tenant right or whether there was not.

22687. But in re-valuation I thought you said you would take into consideration the tenant's right?—In making re-valuation if you took the judicial rent you would have to add to that the interest on tenant right, and you would check that with the valuation made in the same way as Griffith's by examining the soil. You would then have the two modes of valuation, and they ought to check each other.

22688. Sir John Colomb.—Suppose you were to resolve to re-value Ireland you would not take the amount of rent fixed by the Court as anything like the main factor in the case, would you?—I do not think it is a question anybody can answer immediately. It depends entirely on what is laid down by Parliament as to the way in which Ireland would be valued.

22689. What I mean is, if you proceed exactly on the basis of Griffith's valuation it would ignore the fair rent fixed by the Court, would it not?—It would not ignore that entirely, but taking it and tenant right together into consideration would be a check on a proper rating re-valuation.

22690. Most Rev. Dr. O'Donnell.—Do I gather it is your view that if there was a general valuation of Ireland Parliament would fix the basis by distinct instructions on which the valuation would be conducted?—There is no question about that.

22691. Chairman.—Might I ask, by way of parenthesis, did Griffith not value the gross value for the rest of the country, and was not the only difference in principle between the system of valuation in Ulster and in the rest of the country this?—In the former place he may have divided the gross value into parts in consequence of the dual ownership then recognised there, and there only, by the law?—I cannot find any evidence that he so divided it.

22692. It is your opinion that whilst much might be said for the re-valuation of agricultural land in Ireland, it is at present inexpedient in view of the transference of the ownership that is at present being effected under the Land Purchase Acts. It is, therefore, more as a matter of academic interest I ask the following questions. The present valuation of the agricultural land of Ireland is about nine millions. Do you consider that this figure would be increased upon a re-valuation, carried out on Griffith's principle brought up to date. You tell us it would?—Yes.

22693. I would like you to develop the point. The gross value of agricultural land in Ireland, less a deduction of say 20 per cent., was over forty years ago about nine millions, and you think the gross value of the agricultural land of Ireland now, less a similar deduction, is more?—I do. I think the gross value for rating purposes is more.

22694. Do you think that this increase is entirely due to the money spent on reclamation, drainage, and other improvements, or do you think it is to any considerable extent due to the changes in the prices of agricultural produce and the transference of a certain amount of the land of Ireland from tillage to pasturage?—I think it is due partly to the increase

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in the agricultural prices. Perhaps it will be as well now to state the agricultural prices as they were then—and as I have them now. The only item in which there is a decrease is wheat, and that is so small I do not touch it. Oats stood at 4s. 10d. in the schedule at end of the Act. It is now 5s. 10d. There are two classes of oats given in the agricultural statistics; the price of one is 5s. 11½d., and the price of the other is 5s. 4½d., but the amount of black oats is so small that I take the average at 5s. 10d. That would give an increase of 20.77 per cent.

22695. Sir Francis Mowatt.—What were the two years?—The Valuation Act was in 1852 and the present prices are this year's prices.

22696. You are giving the prices in the schedule of the Act?—Yes, and the present prices and the percentages of increase I have arrived at. Barley was 5s. 6d. It is now 7s. 1¼d., that is 29.2 per cent. increase. Flax was 49s. It is now 55s., showing an increase of 12.2 per cent. Butter was 65s. 4d. The chief price of butter given in the agricultural statistics is that for creamery butter, which is 102s. Farmers' butter is 89s 11d. I average it at 95s., which gives 46 per cent. increase. Beef was 35s. 6d., and the present price is 53s. 3d. That gives 50 per cent. increase. Mutton was 41s., and the present price is 65s. 5d., that gives 59·5 increase. Pork was 32s., and the present price is 49s. 5½d., which gives 54 per cent. increase. It will thus be seen there has been a considerable increase in prices. In addition to that a great deal of the land has been improved by reclamation, and I think we have also to take into consideration another matter, namely, the facilities for farming. There has been a great improvement in agricultural implements and in transit on the one side, whilst as against that you have the increased price of labour.

22697. Chairman.—There is no decrease at all in the prices?—Except in wheat, and of that the amount grown in Ireland is small.

22698. The others show an increase in every case?—Yes.

22699. Mr. Kavanagh.—And yet with that increase in prices tillage has decreased in the last 50 years?—The value of tillage.

22700. No, the acreage?—Yes.

22701. Is that the same all over the United Kingdom?—I believe it is.

22702. Sir Francis Mowatt.—The output of flax has very much decreased, not the value but the amount?—The amount has decreased certainly. Last year there were only 46,000 acres in Ireland altogether.

22703. Is not it a fact that that has been caused by the system of steeping the flax? They are not allowed to steep it in the running streams?—They steep it in Belgium in buckets. They get a more golden colour. I think that is due to the peculiar property of the river.

22704. I always heard that the fact that in one case the water was running while in the other it was stagnant was the cause?—I always understood that it was chiefly due to the property of the river.

22705. Most Rev. Dr. O'Donnell.—There is a great difference in the colour of flax that comes out of a pool in a moor as compared with that which comes out of a pool in clay land?—Yes.

22706. Bearing on the question which Sir Francis asked you about the flax in 1852 the price was 49 shillings and now it is 55 shillings?—Yes.

22707. But the flax crop was chiefly grown in the North of Ireland?—It is now altogether.

22708. Did not flax rise after 1852 until about 1870 or between 1870 and 1875, when it attained a much higher figure than it now stands at?—Yes. It was much higher a few years ago.

22709. Do you recollect what was the price of flax in 1875?—I cannot remember.

22710. It was very high at all events?—It was

22711. Sir John Colomb.—In making the valuation under the Act of 1852 the Commissioners or Examiners did not take into consideration how the farm was worked, whether in tillage or grass. In fixing the value they merely appraised the value of what the land ought to produce by cultivation; is not that so?—To some extent only. If they were examining a farm in Meath, which was a grass farm, and only suitable for a grass farm, they would take it as a grass farm and value it on the prices I gave of beef, mutton, and pork And in the same way when they came to land only suitable, say, for rough grazing, they would value it as rough grazing, according to the number of sheep it would carry. They would not value it as if it could be turned to tillage, because it was used to the best advantage in another way.

22712. That being so, in the case of a grass farm, there being no set-off in the way of labour, does not it mean that the grazing land is very much more valuable now than at the time of Griffith's valuation, seeing that all the produce has risen so much in price?—It would seem in that way more valuable.

22713. Is not it obvious?—They don't, of course, get on the grass land the same increase on account of better machinery and farming implements, but they get the advantage in labour expenses, as the amount of labour that they require is so much less.

22714. Therefore that means the enhancement of the value of grazing lands now as compared with the time of Griffith's valuation, does it not?—Yes.

22715. Do you think if the Commission gave you time you could get information as to, and trace what were then the grazing farms in certain counties that you might select?—I think so. We could trace a certain number of them.

22716. With their valuation, of course?—Yes.

22717. Would the books show in those cases what number of head of cattle these lands were assumed to be able to carry?—You might get that in some cases. There is an immense number of these books.

22718. I quite understand the enormous difficulty. I only want to know if we could get some practical instance in Meath and Roscommon?—I would be very glad to look into that question. I hardly like to answer straight off.

22719. Where the valuation was made, say, in Roscommon and Meath, if you could find in your books certain lands that were then grazing lands, I presume the books would give the estimate of the number of head of cattle and sheep the lands would carry?—Sometimes.

22720 If we had that we should be able to form an idea as to whether in the case of those particular grass lands the interval of 60 years has or has not enormously enhanced their value?—And with reference to the present value——

22721. I am not speaking only of the present value?—If I were to give you the valuation made by Sir Richard Griffith of those farms you would want a valuation made now to show that increase.

22722 If you can give us the estimated number of cattle or sheep allowed to a farm in grass it is a matter of simple arithmetic to apply the rise in prices to the enhanced value of the farm?—That is so.

Sir Francis Mowatt.—If there is no other condition present to modify it.

Sir John Colomb.—The only condition he has stated was increased labour. That does not apply to a grass farm.

Sir Francis Mowatt.—I merely suggest, as you have asked the question the additional expense of breeding farm stock to put upon it.

22723 Sir John Colomb.—But these grass farmers don't produce stock?—Not on the fattening lands.

Sir Francis Mowatt.—But the person who puts the stock on that farm has to go to a certain amount of expense in preparing his stock to get it up to the point at which it may be dealt with by the grazier. I only mention that as illustrating a condition that would effect any calculation made simply on the averages you are asking for.

Sir John Colomb.—But he goes to no expense in preparing the farm in this particular case I mention, because I am simply taking the case of a farm then in grass, and which now remains in grass, and seeking to apply to it now the same principles as to valuation which were then applied.

Chairman.—Apparently the only way you are going to get at the difference now is by calculating the number of cattle that could be put on the lands at the time of Griffith's valuation and the number that could be put on now.

Sir John Colomb.—And the enhanced price of the cattle.

Mr. Kavanagh.—He must buy stores, and stores are dearer now.

Sir John Colomb.—That I admit cuts both ways.

22724. Sir Francis Mowatt.—In answer to the

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chairman's question, whether the increased valuation that you suggested would be to any considerable extent due to changes in agriculture produce you said yes, and you gave us the increases in the items of agricultural produce that you mentioned, which are considerable. Taking them as a whole they look something like 45 per cent. Would that 45 per cent. at all indicate a corresponding amount of increase in the valuation?—No.

22725. Just explain how that affects it?—You must check each one of those prices, and see how it affects the particular kind of land. Therefore you cannot put all those prices together and say there is 45 per cent. of an increase.

22726 Would you say that the alterations in the price of any particular article of agricultural produce was a fair test of the increase in valuation of the holding on which that particular article was produced; that is to say if oats increased 40 per cent. would you say that 40 per cent. would at all represent the increased valuation of the land on which the oats were grown?—That is a very difficult question to answer. There are so many other considerations that I don't think it would be fair to take the increased price in products only.

22727. And important considerations?—Very important considerations.

22728. Most Rev. Dr. O'Donnell.—You mention that labour and taxation have gone up. One important question is this In all those calculations would the increased price of living be an element?—I think it is an element.

Sir Francis Mowatt.—That is included in labour.

22729 Most Rev. Dr. O'Donnell.—To some extent, but there is an increased price of living to the farmer which is not covered by the cost of labour?—I think living in the present scale is very much more expensive for all classes than it was at that time.

22730. Sir Francis Mowatt.—But as regards all that labour on the farm it is included in the increased price of labour?—Yes.

22731. So far as the farmer gives his own labour it will be the same thing with him too?—Yes, but the farmer, I think, expects a larger profit than he would have expected at that time.

22732. It takes more to run the farmer's own establishment apart from the labour altogether?—Yes, and it is run on a higher scale than it used to be done.

22733. Sir John Colomb.—All I mean is that you should give us example farms, say, in Roscommon or Meath which were in pasture at the time of Griffith's valuation, and are still in pasture, and apply to those farms exactly as Griffith did the principle of Griffith's valuation. All I want is that that should be done in the case of a certain number of typical pasture farms?—I could do that to some extent. I don't know that I have the number of cattle on the farm, but one could take the value of the farm by calculating in the same way as Griffith did it, and then see what the result would be.

22734. Chairman.—You might talk to Sir John afterwards as to endeavouring to do what he wants?—I shall be glad to do so.*

22735. With reference to the increase in value of the land since Griffith's time, I should like you to develop the point. Certain articles, *e.g.*, wheat, have fallen in value Certain articles have risen in value, *e.g.*, beef, and certain land, that 40 years ago was given over to the production of corn, is now devoted to raising beef. Can you at all work the matter out in detail, taking into account the increase in the local rates and in the cost of labour My reason for asking all these questions is that an increase in the valuation would seem to suggest that agriculture is more profitable to-day than 40 years ago, which, of course, is not the common opinion. Would you say that land then, *i.e.*, 50 years ago, and now in tillage is over-valued, and that land then and now in grass is under-valued? What would you say about the land in tillage then and now in grass?—Practically I have gone into that. I don't think I have anything further to say on it.

22736. Will you say that the land which 50 years ago was in grass and is now in tillage is over-valued, and that the land then in tillage and now in grass is under-valued?—I am afraid I should not like to express an opinion on that. I have only incomplete manuscripts to tell me how things existed 50 years ago.

22737. So far as land which is now in grass, and which then was in tillage is concerned what would you say?—I think the valuation generally would be increased, but I should not like to go into details. It is merely guess work in my opinion.

22738. Most of the foregoing questions have been asked to elicit general information which it is useful for the Commission to have, but there is one question which I think very pertinent to our inquiries. Do you think that the valuation of any district in Ireland—say an electoral division—or the average valuation per head of the population is a fair test of the comparative prosperity or poverty of the district. I would put it to you this way. Take two rural districts, on one of which the people live entirely from the land. In their case I would suggest that the average valuation per head is a fair test of their poverty or otherwise. In the second district, however, the people do not live entirely from the land, some of them fish, some of them are migratory labourers, some of them find employment in lace-making (the valuation of the building where this is carried on being perhaps only a couple of pounds), consequently the average valuation per head of these people may be less than half the average valuation per head in the other district, yet the second district may easily be far the most prosperous?—I don't see that you can get any other returns better than the valuation lists for fixing such areas. Land is, of course, the main factor from which the livelihood of the people in the West is got, and I don't know of any other statistics that we have at present that would give you as good an idea of what districts are more or less congested as those relating to the valuation and the population. I have a map which I prepared which gave my ideas of what the congested areas should be if this question arose. The basis on which I prepared it was this, that wherever there were certain areas in a county now congested as far as possible they should be brought in in the future, but that these areas were much too confined, and that instead of having islands as there are at present there should be more consolidated areas The smallest area should be a rural district, and on that basis I have prepared this map

22739. Sir John Colomb.—Do you mean rural district instead of electoral division?—Yes. It is practically the old union except in cases where the unions were divided between two or three counties, in which cases there are two or three rural districts.

22740. But it is practically a union?—Yes.

Mr. Bryce.—Not the union as it stands now surely; because the union as it stands now is much larger than the electoral district.

22741. Sir John Colomb.—The union may include several electoral divisions?—And does.

22742. Most Rev. Dr. O'Donnell.—The rural district contains a great number of electoral divisions?—Yes.

22743. Mr. Bryce.—I would have thought that the electoral division was too large an area. There has been a great deal of evidence to that effect. You would lose still further your touch with congestion if you had a larger unit than exists at present; and it has been proposed, or suggested, that the unit should be much smaller than the electoral division?—But in purchasing land I think I am right in saying that the Congested Districts Board have to satisfy all the people in the congested area before they can go outside of it, though the people alongside of it may be just as poor, and may require the land just as much. Am I not right in stating that?

22744. Yes?—That was one of my reasons for considering you should have a larger area, so that you might get over that difficulty.

22745. Most Rev. Dr. O'Donnell.—Probably you have not explained fully what the contents of your map are?—The district I proposed was this (*produces map*). I proposed to take in the whole of Donegal, less the two districts of Strabane, which are rich districts, and the whole of Sligo, Leitrim, and Mayo and Galway less four rural districts, the whole of Roscommon less three rural districts, the whole of Kerry, and two rural districts in Cork.

* From the information available it was not found feasible to give the Returns asked for in the form required.

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22746. Mr. KAVANAGH.—Then you enlarge the area very much?—I enlarge it considerably. I wanted as far as possible to take in all the districts that are at present dealt with as congested.

22747. Sir JOHN COLOMB.—You mean scheduled?—Yes. I have only left out three or four electoral divisions altogether. Wherever I found that a rural district had an average valuation of over £3 per head I took it out. That was practically the basis I went on. As far as possible I left the whole county in.

22748. Most Rev. Dr. O'DONNELL.—Practically you schedule all the rural districts that at present contain any electoral division that is scheduled?—With the exception of two or three.

22749. CHAIRMAN.—You say you want first to include all the areas at present dealt with. What do you wish to do in the next place?—I want to take the rural districts and as far as possible the counties in which the areas at present dealt with are situated, but when I come to a rural district adjacent to these first-named with more than £3 average valuation per head I strike it out.

22750. Sir JOHN COLOMB.—You took £3 as the standard valuation for a rural district instead of 30s. for an electoral division?—Yes.

22751. Most Rev. Dr. O'DONNELL.—Did you include Clare at all?—No.

22752. CHAIRMAN.—A test of that kind does not take you into Antrim or some other places that were mentioned?—No. It is merely a suggestion.

22753. Is that because these places are not contiguous to the present scheduled areas?—There may be an island here and there through Antrim, but the county generally cannot be considered congested.

22754. How many rural districts in the county are congested?—There is only one rural district in Antrim with an average valuation of less than £3. It is £2 11s. But all the others are over £3.

22755. Most Rev. Dr. O'DONNELL.—In Tyrone would you find some electoral divisions under the 30s. limit?—There are three rural districts over £2 and under £3, but nothing under £2.

22756. CHAIRMAN.—What about Cavan?—In Cavan there is one under £2—Enniskillen No. 2.

22757. Mr. BRYCE.—The object of the other suggestion was just the opposite, as it were, to enable us to reach the small congested areas, wherever they might be?—Yes; but it seemed to me that the difficulty was in working these little islands.

22758. No doubt. I would like to ask you if you have formed any impression as to the valuation in poor districts in Connemara and Donegal where practically there is no agricultural value in the land at all?—As to whether the valuation should be raised or not.

22759. On what principle valuation in those regions should be made?—Take the letting value of the land. If there was no value there should be no valuation, or at least something very, very low. In a great many of those districts it is only a few pence an acre.

22760. Therefore the valuation as it exists at present is not founded upon the price of produce at all?—Yes; produce is an element in determining what the letting value is.

22761. Now, suppose you get a farm of 20 acres with nothing but granite slabs that has got no value for production at all?—I suppose that there would be no valuation on it, or only a nominal one.

22762. But there is rent?—Yes. Rent is not synonymous with rating valuation.

22763. I thought you said the letting value. The letting value is the rent, is not it?—Yes, if there is a rent paid out of it and no other interest but the landlord's.

22764. There is a rent paid out of it?—Yes.

22765. You propose to take that as a basis?—No. I propose to take the full letting value which we arrived at by examining the ground and seeing what the correct rating value ought to be. We arrived at the letting value by an examination of the soil and the sub-soil, and seeing what crops or cattle the land would bear.

22766. Do you think from your knowledge of those regions that Griffith's valuation was made up in that way?—I have got evidence that it was.

22767. And in those districts when there was a valuation, say, of £3 upon a farm, that was founded upon the valuation of the cattle and corn grown upon that farm?—Upon what it would bear.

Mr. BRYCE.—Because it is very difficult to understand that that can have been the case when you see the land.

22768. Most Rev. Dr. O'DONNELL.—There is a great difference between the valuation of those lands to which Mr. Bryce refers and the existing rent?—There may be. Unless I got a particular farm I could not say.

22769. Where, for instance, a moor has been reclaimed it is a necessity of the case that there should be a great difference?—Yes, because the valuation remains at the old figure.

22770. There may be a big difference if the rent has been put on the reclaimed land?—Yes. I would like to say in reference to the untenanted lands return, and some questions that were answered with respect to it, that I think there has been an error in reference to what it really is. There seems to have been an impression that it was a return of land that was suitable for taking up for enlarging farms. It includes that, but really it sets out the land on which there is only an occupier, and no immediate lessor. That is to say, a demesne would be untenanted land, because it is occupied by the same person who owns it; and demesnes can only be distinguished in it by the fact that there is a mansion house on them. But there may be many demesnes that have not got any mansion house. In my opinion the return is only useful as an index where you require to get some lands to divide up. In that case you take it and see that there are so many hundreds or thousands of acres of land in hands in a particular district. But you must send down to find out whether these lands are suitable or not, or whether they are available. It is merely a return showing what lands are untenanted according to our lists.

22771. Sir JOHN COLOMB.—Do you only include lands that have mansion houses upon them?—No. We exclude no land which is owned by the occupier.

22772. Therefore it is no guide at all to the Commission in seeking to ascertain what is the land that is usually described as untenanted grass land?—Why? It is all there.

22773. I can only speak of my own case. I turned it up from curiosity. I see lands within the demesne put down?—You will see that it is untenanted land. I have just said that all demesnes are untenanted land.

22774. You class all demesnes as untenanted land?—Yes, except where they are let.

22775. That being as it is, can you, with your experience, suggest how it could most easily be ascertained where and what are the lands which are grass lands with no houses on them, or at all events only a labourer's cottage or some small building; how can we get that information, so as to have a schedule of pure grazing lands, say over 200 acres if you like, and that have only a shepherd's house or something like that upon them?—I don't see any way in which you can get grass lands distinguished from other lands, where there is no such record. But if you require to get lands for enlarging holdings, say, in Roscommon, you will find in a certain electoral division so many hundred acres of land which is untenanted. If you take the Ordnance map you can at once see what is demesne, and whether the remaining area has very many houses on it. We can then give the information as to how many of these are cottiers' or herds' houses. This remaining area is presumably land that would be suitable, and then an investigation should be made on the ground as to whether it is or not, after which the owner could be communicated with.

22776. This information would be a considerable return. It would embrace a great number of holdings?—Do you mean this particular plot?

22777. Taking Roscommon as an illustration. I understood you to say just now you could get, or there could be got easily, a list of all lands that are untenanted, but you cannot distinguish whether they are grass lands or not?—No.

22778. And it is only by personal inspection that it can be ascertained whether these are grass lands?—That is all.

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Sir John Barton.

22779 Therefore, when we have proposals and calculations about untenanted grass lands we have no real or safe ground to go upon, because there has been no personal inspection?—I don't know as to the calculations you speak of, but I know that there is no information that I am aware of which shows whether the land is in grass at the present moment or not.

22780. Is there not a department that can identify to us and give us a list of pure grazing farms that are entirely in grass?—I know of none. The Registrar-General prepares a return each year of the amount of grass in each county, and it is quite possible that from that return he might be able to give the information.

22781. At all events, your Department cannot help us?—No.

22782. You can do no more than produce that book?—That is all.

22783-4. And in seeking for information as to the amount of grass lands we must seek it elsewhere?—Yes.

22785. And so, in the absence of any definite information in the matter, it is pure speculation to say what is the amount of grass lands suitable for migration, where they are, and what they are. All that is merely a matter of speculative opinion as far as your Department goes?—Yes.

22786 With your experience of your communication with other Departments, I thought you might be able to tell us whether there is any Department to which we could go to to find out where are these grass lands?—I think you will get the information from the examination of the ground. That is the only way you can get it done.

22787. Your return is simply untenanted land?—Yes.

22788. It may be anything. You have got an island of mine down that is all rocks and rhododendrons?—Yes. That is untenanted land.

Sir John Colomb.—You would not say that it is a suitable place on which to put migrants from the West.

Sir Francis Mowatt.—It is only fair to the witness to say that he suggested inspection on the spot.

22789. Mr. Kavanagh.—You would not call the holding of a tenant purchaser under the Land Act untenanted land, though he is the practical owner and occupier?—I would not. We have struck them all out.

22790. Most Rev. Dr. O'Donnell.—Is land let on the 11 months' system classed as untenanted land?—It would be.

22791. Sir Francis Mowatt.—We could know without any further inquiry the amount of untenanted land in a county or in any division you like to make?—Yes.

22792. We know the amount of pasture land in that county?—From the Registrar-General's return.

22793 By deducting the one from the other we might get an indication of the amount of untenanted land that is not pasture land?—You get it roughly that way.

The Commission adjourned.

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FORTY-NINTH PUBLIC SITTING.

THURSDAY, MARCH 14TH, 1907,

AT 11.0 O'CLOCK A.M.,

At Winchester House, 21 St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (in the Chair); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

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Right Hon. George Wyndham.

Right Hon. GEORGE WYNDHAM examined.

22794. CHAIRMAN.—As Sir John Colomb has to go away he will begin by putting some questions to you.

22795. Sir JOHN COLOMB.—As Chief Secretary did you become, *ex officio*, Chairman of the Congested Districts Board or was it by resolution of its members?—I did not become *ex officio* Chairman. At the first meeting of the Board which I attended it was moved by one member and seconded by another that I should take the chair; and that took place again at the second meeting. Subsequently I took the chair by general assent without formality.

22796. Beyond the usual functions performed by the Chairman of any Board, did you regard the position of the other members of the Congested Districts Board as co-equal with yours?—Yes, subject only to the fact inherent in any Chief Secretary's position, that he has greater facilities of access to the other Departments of the Irish Government, to the Treasury and, when legislation is contemplated, to the Government of the day. Subject to that, I regarded the position as co-equal.

22797. Do you regard as accurate the statement given to the Commission that answers given to Parliament by the Chief Secretary relating to the Congested Districts Board are not given "as Chief Secretary but as a member of the Board; and, further, that there was no responsibility in the ordinary sense"?—There, again, I should say yes, except in so far as the Chief Secretary would deserve the censure of the House of Commons if he had failed to maintain economy of administration and to secure necessary legislation. Having special facilities, if he failed to guide and assist his colleagues I think he might deserve censure as a member of the Board and not as a Minister. Apart from that he is not directly responsible to Parliament for the operations of the Board.

22798. Did your experience prior to your membership of the Congested Districts Board or during the subsequent period of the Chairmanship lead you to regard the possession of compulsory powers by the Congested Districts Board as a necessary condition of its effective action?—No.

22799. Do you consider that the legislation during and since the period you held office has, in fact, removed the obstacles to effective action which confronted the Congested Districts Board when you first became officially associated with it?—It is difficult to give a short answer to that question. No legislation dealing with so complicated a subject could be called final. The Acts of 1901 and 1903 were intended to remove many obstacles to the effective action of the Board, and I believe that they did remove them to a very considerable extent, possibly to a greater extent than is realised; but I cannot speak of what has happened during the last year and a half in Ireland, as I have not been in very close touch with Irish affairs. I think it might be for the convenience of the Commissioners if at this point, having answered Sir John Colomb's questions, I made a short statement of the way in which we expected legislation to work. I see that the Bishop of Raphoe has a question that would lead up to a matter that I should like to refer to on this point.

22800. Most Rev. Dr. O'DONNELL.—Your statement will fully meet that, I am sure?—I think it would be just as well to answer the question afterwards, because it is a rather complicated subject. We had two main objects in the legislation of 1903. The first, no doubt, was to facilitate the purchase of estates, to bring land into the market which had not come into the market. The second object, second only, if at all, to the first, was that the cure of congestion throughout Ireland should be included in the operations for the purchase of estates. Now, in what I propose to say I should like to guard myself by specifically laying down that I do not wish to offer any opinion on prices. If I have to use figures to illustrate my argument they are only for the purpose of illustration, and do not indicate any view of my own as to what prices should be given, still less as to whether the Board is economically wrong as to the way in which its powers have been made use of. Our objects were four—to enlarge the credit for purchase, to have a separate credit for acquiring untenanted land, in the third place to have a working capital to improve properties in an uneconomic condition, and in the fourth place to have greater administrative facilities for dealing with such properties.

22801. CHAIRMAN.—You are referring now to the part of the Act of 1903, which related to congested districts?—Well, these remarks really apply to the whole of Ireland. I do not propose to go at length into the problem of congestion everywhere, but to confine myself, so far as possible, to the congested districts. As your lordship has noticed, some of the questions addressed to me are really matters of personal opinion as to how you can deal with congestion generally, and it is impossible to keep the two questions quite distinct.

22802. I want to know whether those objects that you have just told us of apply to the whole of Ireland generally?—They apply to the whole of Ireland, and the whole Act generally, but different methods of carrying them out are contained in different parts of the Act. The first object was to increase the credit for purchase. Well, in respect of the Congested Districts Board, under the Act we gave the Congested Districts Board for the first time what I may call access to the whole of the guarantee fund of the county in which a scheduled district is to be found. That means an immense extension of the Board's credit. Previous to that the Congested Districts Board could only buy with a credit based on the interest of a million and a half of the Church Surplus Fund; but by the Act of 1903 we made it possible for the Congested Districts Board to buy in the market up to the limit of the whole guarantee fund of the county, and we doubled the credit value of that guarantee fund. For the second object, that of having a separate credit or guarantee for the purchase of untenanted land, we extracted the million and a half of the Irish Church Surplus Fund out of the guarantee fund for general purchases, putting back the grants for the National Schools, which had been withheld in the congested districts, and we took that interest of a million and a half into the service of the Congested Districts Board,

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and practically made it a guarantee fund for untenanted land held by the Congested Districts Board. I hope I have made that clear. That is the way we tried to effect these two objects. Then, coming to the question of working capital, we added £20,000 a year to the income of the Board, and we provided that some of the working capital should be repaid into the income of the Board. There had been no provision to that effect before. The working capital spent on improving the property purchased was to be repaid practically to income account of the Congested Districts Board in respect of any enhanced price. Now I have not been very familiar with what has recently taken place in Ireland, but rumours have reached me that some doubts exist as to the meaning of that provision in the Act, and I can say to the Commissioners very clearly what the intention of the authors of the Act was, and perhaps it may be well to do so. The enhanced price spoken of there in respect of the operations of the Congested Districts Board and elsewhere in the Act in respect of purchases outside their operations, means the enhanced price given by a purchaser to the Congested Districts Board. It has nothing to do with the price given originally by the Congested Districts Board for the property. I think it is well that I should make it quite clear that there are two operations contemplated by the Act which in the Act are kept distinct. There is the purchase of land and there is the execution of improvements. You might have a loss on either, and these two possible losses are separately compensated in the Act. The loss on the price of land falls, in the case of the Congested Districts Board, ultimately on its income. If you buy land for a certain sum of money and sell it for less you have undertaken to pay interest and sinking fund for sixty-eight years, and that is a continuous charge, which falls on income for sixty-eight years. That is what happens in the case of the Congested Districts Board. In the case of general purchases the loss on the price of land is also kept quite distinct. If the Estates Commissioners buy land they have under one section of the Act to state that in their estimate it can be sold for a loss of 10 per cent. on the price. It is true that the estimate is in respect of the aggregate transactions undertaken in the year, and that the ultimate return is in respect of the aggregate transactions undertaken in the year. That amounts only to averaging the degree of loss. The principle is that the loss is only 10 per cent. in respect of the price of the land and not in respect of the price of the land plus the cost of the improvements. For example, if you buy a property for £1,000 you may lose 10 per cent. of the price of the land and you must get back £900. Supposing you spent £200 in improving that property, well the loss is 10 per cent. on the £1,000, that is £100, and not 10 per cent. on £1,200, that is £120.

22803. Sir ANTONY MACDONNELL.—May I ask you to repeat that explanation, if I am not troubling you too much?—No; I really ought to apologise for doing it at such length, but I think it is very important that we should understand that the policy of this Act contemplates two phases of operations—the purchase of estates and the execution of improvements It contemplates possible losses on both. It says that the loss in respect of the price of the land is to be ten per cent, and not more. You cannot add the money which you spend on the estate, and calculate ten per cent. on that. You must calculate the ten per cent. on the price that you gave for what I may call the raw article, and the reason for that was——

22804. Most Rev. Dr. O'DONNELL.—You are speaking of congested districts estates?—I am speaking of "defined" congested estates.

22805. Sir JOHN COLOMB.—Estates dealt with by the Estates Commissioners?—Yes; I have given cases to illustrate the policy of the Act and what is applicable generally is applicable *a fortiori* to the congested districts And I think it is important to have this clear, because it is a portion, as I hope to show the Commission, of what we intended in the congested districts and what can be done. The object of that was to prevent what we considered might be the extravagant execution of works. If you got a property for £2,000, and spent £1,000 on it, and could calculate the loss on the price plus the cost of improvements, you would put £300 loss upon that, but if you knew that you could only put it at £200, you would then endeavour to be economic in the execution of the works, and you would endeavour to get as much assistance as you could from the people who were to be benefited by the works. The question of the cost of the improvements is a separate matter. Upon that it was undoubtedly intended that where the improvement adds something to the purchaser's price in respect of the improvement that amount can be advanced back. In the case of the Estates Commissioners it goes back into the reserve fund. In the case of the Congested Districts Board it goes back to the income account. The two operations are kept quite distinct.

22806. Sir ANTONY MACDONNELL.—Whether it goes back to the reserve fund, Mr. Wyndham, is now a matter *sub judice*?—I am merely telling you what the meaning of the Act was in the minds of its authors.

22807. Most Rev. Dr. O'DONNELL.—You state, Mr. Wyndham, that the price of the improvement was to be charged to the annuity and to be recovered in the annuity?—If it involves no loss, certainly the whole would be recovered. But some loss will usually be incurred. You build a house for so many pounds. If the purchaser chooses to add the half of the cost of that house to the purchase money, he spreads the repayment over sixty eight years. The result is that £3 5s. per cent. is to be paid in respect of half of it. Half of the cost is refunded, and it comes into the accounts of the Congested Districts Board and the other half they have to pay.

22808. Mr. BRYCE.—But then if the loss on the cost of improvement was not recoverable out of the annuity, it had to be borne equally by income, as the 10 per cent. they would lose in the purchase price?—Well, there is a distinction. Perhaps I might give an illustration if I am not elaborating this too much. But before I give my general illustration, may I say that there was one other particular object which I mentioned before—administrative facilities. We made it possible where we bought a property outside a scheduled congested district—for the benefit of the inhabitants of that district—we made it possible to sell some part of that property to persons living on the fringe of it in the county where it was bought, and that was done because a difficulty was experienced in buying, say, 400 acres of untenanted land in another county and using the holding for persons in a congested district, of whom the neighbours knew nothing. They felt that if this land, upon which they had, perhaps, rights of grazing, was to go, some consideration ought to be shown to them, and therefore we made a provision that some part of the land so acquired could be handed over for the benefit of the people in the locality in which it was acquired.

22809 Most Rev. Dr. O'DONNELL.—The difficulty being, however, Mr. Wyndham, that the provision was scarcely ample enough for the holdings on the fringe to be enlarged unless in the case of people who are valued at £5 or under. If one is found on the fringe valued at, say, £6, his holding may not be enlarged at present. That is the difficulty.

22810. Sir ANTONY MACDONNELL.—Another difficulty was that you could only make use of remnants that were over after you had distributed the corpus of the property in relief of congestion?—I should be the last person to say that it is easy to carry out this great work. There are other administrative facilities. We got power to resume a tenancy for the purpose of migration and enlargement of holdings—a very necessary power; perhaps it ought to be extended. I should like to give an illustration, with that caution that my figures are only to make the argument intelligible. I take the case of three congested properties, properties consisting, say, of small uneconomic holdings. Our intention was that you should deal with more than one property at a time, and that your action should be comprehensive. So I take the case of three properties, all in a bad condition, and, therefore, since they are in a bad condition, the holders on such properties are dependent often on getting grazing, and if they cannot get it are driven to a forced sale of their young stock. I mean to say that if the Act did nothing more than enable the Board to relieve the smaller holders on uneconomic estates by providing them with grazing, I think it would have done well.

22811. Most Rev. Dr O'DONNELL.—You are speaking of the Board now?—Of the Board. Now, with

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regard to those three uneconomic properties belonging to three separate landlords the idea was that the Board with its extended credit facilities should purchase these properties, all tenanted uneconomic holdings, we will say, for £9,000. If that was to do any good, if that was to relieve congestion, it was further contemplated that the Board should buy some untenanted land. And therefore the Board, with its new facilities to buy untenanted land, was intended to be in a position to buy, say, £3,500 worth of untenanted land elsewhere. I shall assume that you can deal—it is a large assumption—with the needs of one or two small people on the fringe of those properties for £500. The intention was that the Board should hand over that bit, £500 worth, of the property to the Estates Commissioners. Then that transaction would go to the Estates Commissioners, and the advance of that £500 would fall upon the guarantee fund of the county in which the untenanted land was bought. Having made that deduction, the Board remains with its three uneconomic properties which it has bought for £9,000, and what it had bought of the untenanted lands for £3,000, that is, £12,000. That £12,000 is advanced to the Board without question. They have only to say that they want it, and they get the advance of £12,000, and they can define the four properties, so to speak, as one estate for the purposes of this Act. They pay the annual interest for five years, or, pending its sale, on the £12,000. They, no doubt, keep an account of these three properties, and the untenanted land so bought, and they will, if possible, save during these five years some of the difference between the interest of 2¾ per cent. on the £12,000 and the amount which they receive as rent from the three properties and the grazing letting value of the untenanted lands. That is the margin, and the wider they make that margin the better. Now, I come to the second phase of the transaction as contemplated by the authors of the Act, the working capital. The Board make improvements and can add the whole or part of the cost of the improvements to the price paid by those who purchase from them. If they move a man from one of the three properties of tenanted land in that bad economic condition and give him a farm on the untenanted land, they can say, "The price of the land for selling was so much, and you can pay £30 more in respect of this house." That £30, as soon as the transaction is completed, comes back into the accounts of the Congested Districts Board. Now, what is the explanation of the possible losses as contemplated by the authors of the Act? The possible losses fall under two heads, the price of the land, and the cost of the improvements. In respect of the price of the land, we did not think that there would be any loss, or, at any rate, any great loss in respect of the price of the bad land of the three properties of uneconomic small holdings, but undoubtedly there is a loss contemplated in respect of the untenanted land, because untenanted land has a great value in Ireland, and if you were to merge it in a joint scheme with this tenanted land in order to benefit it probably it would involve a loss. Assume a loss of £1,000. I took that figure quite accidentally. Having looked at some of this evidence, I see that Mr Mitchell put the contemplated loss at 8 per cent., and quite accidentally I hit upon this estimate. But assume that the whole money spent is £12,000, and assume that you lose £1,000 of it, my point is that you pay £12,000, and that you contemplate a loss of £1,000. The Congested Districts Board would have to pay 3¼ per cent on that £1,000 for sixty-eight years. It is a continuing charge during the whole period. On £1,000 that is an annual charge of £32 10*s*. I state that because I am unable myself to see how the loss on this transaction can be as great as some people seem to suppose; because the Congested Districts Board has to pay only 3¼ per cent. on the loss. It has not to pay the loss in respect of the price, but it would have to pay £32 10*s*. for sixty-eight years unless—and this is very important—it succeeded in saving £1,000, or part of £1,000, out of the margin between the grazing rents they had received, and the 2¾ per cent they would have to pay for five years. If they did they would at once send in the money to the Land Commission, and be free of that continuing charge. Now take the other part of the loss, the loss on improvements. Suppose, then, you spent £2,000 on these properties, and that you added only £1,000 in the aggregate to the price at which you re-sold the lands when improved. Well, that £1,000 which you have added to the price, is refunded to the income account of the Congested Districts Board in respect of the enhanced value. They get that back. The other £1,000 is a loss, but it is not a continuing charge. It is a loss of income, but only of income during those five years. I assume for the purpose of my argument that you hold these properties for five years before their re-sale. You lose £1,000 in the course of the improvements. That is really £200 a year off your income during those five years; so that the total possible loss in such an example is a loss of £32 10*s*. per annum for sixty-eight years, and £200 a year of their income during those five years. It is going into detail, but suppose you had a property on which it was necessary to spend a great deal of money. You can borrow that from the Board of Works, but there is a loss on the loan, and there is a loss of income. There is a continuing charge for sixty-eight years, the annual interest on the difference in the price, and there is a non-recurring charge during the period that you are acting as landlord.

22812. Sir ANTONY MACDONNELL.—The interest on the loan obtained from the Board of Works does not extend to sixty-eight years?—No, it does not—about twenty years.

22813. When you re-sell you have to clear up accounts with the Board of Works?—Quite so.

22814. So that if you borrow £1,000 from the Board of Works, and if all these other charges are cleared off in five years, you have to repay the £1,000?—Quite so. Of course the Commission understand that I am not suggesting that the Congested Districts Board do not require more money. I am explaining what we intended to do by the Act, and the lines on which we believed that it would be carried out.

22815. Most Rev. Dr. O'DONNELL.—As it has worked out there has been no distinction between that first £1,000 and the second £1,000, the £1,000 lost on purchase, and the £1,000 lost on works. You simply set out whatever is repayable as the price of the improved estate sold to the tenants, and then the transaction is complete. There is no small loss accruing for sixty-eight and a half years. When the Board have sold to the tenants the transaction is complete, and any loss made either on purchase or on works is then treated as so much practically lost to the income of the Congested Districts Board?—It comes to that.

22816. Sir ANTONY MACDONNELL.—And the result is that we have been afraid, Mr. Wyndham, since your time, that we cannot go on any further without a considerable addition to our funds?—I attach great importance to this, because, having been in correspondence with the Treasury and others on the subject for more than two years before the Land Act was introduced, I know what was in the minds of those who authorised that Act, and I think it will be a great mistake to suppose that anybody thought the Act final, even on the question of finance, but they certainly desired that the finance should be of such a character as to make it worth the while of the Congested Districts Board not to execute what I may call fancy repairs, and make it worth their while to get as much help as possible from the people whom they would benefit. When the Act was introduced the period over which the Congested Districts Board could act as a landlord was eight years. There was some, not unnatural, impatience expressed in the House of Commons at that period, and against my better judgment I own, I cut it down to five. I believe now, and certainly I did then, that in order to deal with the very worst properties in Ireland five years is not a sufficient period.

22817. Most Rev. Dr. O'DONNELL.—You had before your mind, I suppose, such properties as are found in Erris?—Yes, Erris and Srah, and Lettermullen, and other places where one finds the most acute phases of congestion, and I earnestly hope that one result of this Commission may be that the Board should be put in a position to deal with congestion in its worst form, and, if needs be, that it should be dealt with on exceptional lines. I have little more to say. I believe that the cure of congestion is a very complicated transaction. Personally I deprecate haste, but I think that more can be done by getting your finances into a state satisfactory to yourselves and to the congested districts, and that since these operations can only be carried out with the good will of all the inhabitants,

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and since you practically have to invite the people on the site that you purchase to do something of the work themselves in order to help the general solution of the problem throughout the country, I think that the Board, which enjoys their confidence, and has leisure to attend to their interests, is the best authority to carry out those operations.

22818. Most Rev. Dr. O'Donnell.—A difficulty would arise if there were no compulsory powers. Take those three estates bought for £9,000, and some grass lands bought for £3,500. Now, since the passing of your Act of 1903 the sale to the tenants is going on very rapidly, and not least the sale of grass lands, and at the present rate of progress the upshot apparently in a short time will be that no grass lands will remain to be bought unless such a body as the Congested Districts Board is almost forthwith authorised to apply compulsory powers to the acquisition of such lands for the relief of congestion?—I do not propose to argue with the Commission, but I thought it right to the Commission to state my view. I believe what your lordship states, but I do not think you have gone as far as you can, or anything like as far as you can without resorting to compulsion. If there were compulsory powers there would be a temptation to take short cuts, and to buy grass lands which are quite handy for the solution of some particular problem of congestion. I do not think that the problem of curing congestion can be solved except on a very comprehensive basis. I think if you buy grass of a very high grade that would be re-sold, and would revert to its natural economic purpose, and that would bring discredit on the whole of this transaction. It is mainly by buying grass land of a lower grade which perhaps ought never to have been grass land at all that you would arrive at a general comprehensive settlement of this question.

22819. Sir Antony MacDonnell.—May I again put a question. I understood you to say that the purchase of untenanted land was contemplated from the beginning?—Oh, certainly, not only in respect of the congested districts, but in respect of this problem throughout Ireland. I am ready to say that the principle of buying untenanted land, as well as what I call the principle of loss, were both sanctioned by the Government long before the Act of 1903 was brought in. It was sanctioned by the Government explicitly in the year 1901, and the view of the Government that you could not deal with this question without loss was expressed by them in the most explicit terms on the first reading of the Bill of 1902, a year before. In dealing with this very question of congestion in the beginning of the year 1902 I referred to uneconomic land, and the necessity of curing its defects before it was re-sold, and I said, "You cannot do it without loss, and unless the House accepts this provision, purchase will never come into operation where it is most needed." I could not more loudly declare the view of the Government that the House ought to sanction the idea of loss in connection with this difficult question if it was to be solved.

22820. May I bring it to your knowledge that the Estates Commissioners are, as a matter of fact, buying large tracts of untenanted land, and selling them to the tenants without making any loss?—But I do not wish to say that loss is desirable. On the contrary, if this is to be carried through, wherever you can avoid loss the greater your success. There is no object in incurring a loss, but in respect of bad properties, and especially small properties, some loss must be contemplated.

22821. I wanted merely to mention that, because I understood you to say that where untenanted land is bought for the purpose of relieving congestion it is inevitable that you should incur a loss. One of the arguments of those in favour of compulsion is that whilst everyone is willing to give a full price, no one ought to be forced to give more than the full price?—I do not go into the question of price, but my view is that compulsion would involve a greater loss. It always has in other cases. But I do not wish that it should go forth that you must always lose money. On the contrary, the Government and the State contemplate an aggregate loss of 10 per cent. That was what was contemplated where you were dealing with bad and small properties, not, of course, where you were dealing with good and large properties.

22822. Then, I understand that you do contemplate that where you purchase untenanted land for the relief of congestion a loss is to be anticipated?—If the congestion is bad. It all varies in degree with the degrees of difficulty with which you have to cope. My own belief is that where you have to deal with very bad conditions, rundale and soforth, there you cannot avoid loss, and consequently the Government and the State allowed a loss of 10 per cent. on the transaction.

22823. But the question was directed to the case of untenanted land alone?—You cannot restrict it to that, Sir Antony, because you only buy untenanted land in order to remedy defects in other land, and you must attribute the loss to the defective area, and not to the untenanted land.

22824. I quite admit the necessity of incurring a loss on the purchasing of untenanted land where there is land in rundale and so on to be dealt with, but the question I am in doubt on is whether we should take it as an axiom that we should incur loss on the purchasing of land?—It is a question of book-keeping. The loss occurs because the tenanted land is in such a bad condition. If you bought land and improved land that was not in a bad condition there would be no loss, there might even be a gain.

22825. Mr. Bryce.—Then why attach the loss to the untenanted land instead of to the tenanted land? According to your description it is in the very bad cases that you are likely to incur the loss. Why not attach that loss to the object which actually incurs it?—I do not know that I have put this in the clearest way, but my reason for putting it in that way was this, that if you bought bad land and sold it without increasing the holdings you would get your price back undoubtedly there. Such land is as a rule low-rented, and under the general financial clauses of the Land Act of 1903, you could sell it without a loss; but it would not be worth doing. It would not be worth selling bad land unless you improved it, and you cannot improve it unless you buy as an accessory untenanted land, and that being so, the loss is on the two transactions. It is in order to improve something that is in a bad condition that you add to it a lesser amount of something in a better condition.

22826. Chairman.—I think that you and Sir Antony are thinking of two different cases. You are thinking of the case where untenanted land is bought in the vicinity of a congested holding and that the congested holding is enlarged by the addition of a certain amount of untenanted land. I think Sir Antony is contemplating the purchase of untenanted land right away from congested holdings in order to put migrants on that untenanted land if it were possible.

Sir Antony MacDonnell.—I understood Mr. Wyndham to lay down the general proposition that where you have a state of congestion and cannot relieve that congestion without the purchase of untenanted land, and that land may be in the neighbourhood, and if in the neighbourhood you naturally would buy it for that purpose; but whether it be near or far, I understood Mr. Wyndham to lay down the proposition that in buying that untenanted land you must contemplate a loss; in other words, you must contemplate paying for that untenanted land a price more than the market value?—I am afraid that I cannot accept the question in that form.

22828. I stated in support of what I said that the Estates Commissioners do buy in the neighbourhood of tenanted land large tracts of untenanted land at the market price, at a price which will enable them to resell that grazing land without a loss?—The market price is what the vendor will take, I suppose.

22829. They come to an agreement. The Estates Commissioners regulate the price. They offer a price that they can recoup by the annuities from the tenant purchasers. I said why should we be under an obligation to pay a higher price for untenanted land than the Estates Commissioners do? If we are by the circumstances of our situation compelled to pay a higher price, is not a case made out for such compulsion as is exercised through a tribunal?—And I have said that I am not in favour of compulsory powers, but I am not here to argue on one side or the other on that question. My own view is that it would be a mistake to take compulsory powers for this purpose, as I think you would create friction, and I think you would find that you would increase the cost. And having said that, I do not wish to emphasise it. I wish to make a few suggestions which have occurred to me on a minor matter.

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22830. Most Rev. Dr. O'DONNELL—Before you pass from that I would like to know very much what was before your mind with reference to the price to be paid for untenanted land. You would not lay down the general principle that the loss must fall on the shoulders of the tenant purchaser. If you have to deal with a very poor congested area grass land would be particularly desirable and perhaps particularly dear?—Yes, I did not say that in any case there would be a loss What I have said was that the authors of this Bill contemplated an aggregate loss of ten per cent. even outside congested districts on transactions of this character, and that you might make money on one property, and on the other hand you might incur on another property a loss of more than ten per cent.

22831. Mr. KAVANAGH—Do you not think that the loss you speak of on the purchase of untenanted land ought to be merely put on the improvements of other estates which you might buy for that purpose?—It ought to be put on the whole transaction, and the idea of the Act is that you define an estate to be an area of land—perhaps it might be two or three properties—which you can deal with as a whole. In the illustration that I gave I assumed that you bought three separate properties in bad condition, and a fourth property of good untenanted land. Well, the loss falls, if loss there be, on the whole transaction. I do not think you can carry out a transaction of that kind without some loss. I do not think it is possible.

22832. Then, I do not think it is quite right to say that the loss would be on the purchase of untenanted land. Supposing, for instance, you purchased a property of untenanted land, and sold it, or were prepared to sell it *in globo*, after you bought it, would you have a loss on that?—No, you would not. Neither would you have a loss on the bad land if you sold it as it is. The loss is in fact on its transformation.

22833. It is not a loss on the actual purchase of the untenanted land?—No; it is a loss on the operation of curing congestion by using untenanted land to grade up uneconomic property.

22834. Mr. BAYCE—The Act did not contain any power to lose on the purchase of untenanted land. It only contains a power to lose on the aggregate transaction of the buying of the congested estate?—We come to that. We must discriminate between the Congested Districts Board and the Estates Commissioners. The Congested Districts Board has very free powers, and has always enjoyed them. It can, if it likes, I suppose, lose all its money by spending it foolishly, but if it did Parliament would probably restrict its powers. It certainly would not give it further financial assistance in the future. But there is no Act to prevent the Congested Districts Board buying any property it pleases and administering it as it pleases and selling it as it pleases. But if it did those two or three things in an extravagant manner, at the end of that time it would have lost four or five thousand a year of its income, and when it came to Parliament to ask for more money it would probably be told that it had not been a good steward. But there is nothing in this Act to prevent the Board losing money over these transactions, although there is in the Act a power to prevent the Estates Commissioners losing more than ten per cent. on the aggregate of their transactions.

22835. Sir ANTONY MACDONNELL—When you spoke of the loss on untenanted land, you were merely speaking of what was in the minds of the authors of the Act as to the portion of the transaction on which the money was likely to be lost?—Quite so.

22836. Not of anything in the Act itself?—No; there is nothing in the Act itself. The Act gave to the Congested Districts Board a larger income enabling the Congested Districts Board to go ahead with transactions of this character which did involve loss, some of them, and I think the Congested Districts Board should contemplate loss as inevitable for some great object. It might be a loss of a thousand a year, but if with a loss of a thousand a year of income it settled this difficult question over a considerable area, it would have a good case when it came to the House of Commons to ask for money. If it had lost that thousand a year and had not obtained any adequate result, then the House of Commons and the Government of the day would probably say, "We think the experiment has failed."

22837. That brings me to another question. A short time ago you said that in your view you thought that it would probably be better to continue the operations of the Congested Districts Board?—Yes.

22837A. Now supposing that the amount of the transactions necessarily came to be very large, do you think that the House of Commons would be willing to grant the necessary credit, the necessary funds, to a Board constituted as the Congested Districts Board is, for the handling of those very large transactions?—That, of course, is a hypothetical question.

22838. It is hypothetical, but it is only a matter of your opinion?—Well, I should recommend the House of Commons, from my place merely as a member of that House of Commons, to continue the Board, and if they required another addition to their income to give that addition to their income.

22839. But suppose the addition was very large?—I do not see how it can be very large.

22840. But it might come to be very large in the event that you deprecate, that there was compulsion. I merely ask you because your views would be of great weight. From your experience as the author of this Act and having administered the affairs of Ireland for a long time and with success, your opinion would be of very great value with the House of Commons. Do you think that, supposing the House of Commons did give compulsory powers, and that the amount of money to be handled was very large, that the House of Commons would be likely or not likely to continue the administration of these large funds and the handling of these large transactions in the hands of a Board constituted as the Congested Districts Board is?—I must divide the question. I do not think that the House of Commons would give compulsory powers to any Department without an appeal to a judge. I do not think the giving of compulsory powers would make the transactions of the Board larger. I think it would make them smaller, and I think that compulsion will create friction and will delay and not expedite the dealing with congestion in the congested districts. I should like in support of that to make this point. When the Congested Districts Board began it began in a purely experimental way. You saw how it bought Clare Island, and afterwards the Ffrench estate and the Leonard estate and others Then it had gained experience, and it came to the conclusion that it was better to be comprehensive and deliberate in these matters, to embrace a large area of this country comprising several estates and to be a landlord for some years and to elicit all the assistance it could in work and kind from the inhabitants to be benefited. It was felt that that was a better course than to attempt to deal rapidly with a few properties in each year; and I think that if compulsory powers were conferred then almost by necessity the Board or any other tribunal would have to receive a sanction for compulsion upon a particular estate or upon two estates, and you would then revert to what I consider the least desirable way of proceeding, which is the purchase of one property or two properties and then attempting to sell them off within a very brief period. If you try to resell a property too rapidly one of two things must happen. You must either sell it in an unimproved condition or else at an extravagant cost, because you carry out all the work of improvement yourself. I believe that the present Board with only voluntary powers but with rather more financial assistance and with some amendments, will go on faster than the Board or another body with compulsory powers.

22841 May I call your attention to this, that the Board and the Estates Commissioners are now competing in a certain way for the possession of untenanted land. There is strong pressure being brought on the Estates Commissioners by the people to purchase untenanted land. There is strong reluctance on the part of the landlords to sell untenanted land. I have figures here in support of that view if you care to look at them, or you may take it from me as a fact. For the Estates Commissioners this procedure is more expeditious than that of the Board. If they continue at the rate at which they are now going on to buy untenanted land the Board will have in a short time no untenanted land to buy?—It is news to me that their procedure is more expeditious than that of the Board.

22842 It is, as a matter of fact?—And I feel that your question is more or less an argument in favour of having one body instead of two.

22843. Well, yes, it is?—Well, that was very carefully considered before the Act was brought in, and both solutions were looked into, and ultimately the authors

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of the Act felt that it was better to leave the Board to operate in the places where they were known, and of course the services of Mr. Doran are of immense importance; that could hardly be disputed. It was felt that it would be better to face the danger of clashing, and that is one of the reasons why the Estates Commissioners were put under the general control of the Irish Government. The Congested Districts Board and the Estates Commissioners are under the Act both given access to the guarantee fund in any one county comprising scheduled districts. The Congested Districts Board can buy property and no one can say them nay, but the Estates Commissioners, using the same guarantee fund, being under the general control of the Government, could be directed not to buy untenanted land in a congested district if there was any danger of clashing. You have either to abolish the Congested Districts Board or to allow it to continue. The Government of the day decided to allow the Congested Districts Board to continue its work.

22844. But take the case of a great estate in a congested district, with a large tract of untenanted land. I have an estate in my mind. They may appeal direct to the Estates Commissioners; they may sell to their tenants; and is it competent to the Government to say that the Estates Commissioners shall not interfere?—Well, the general control of the Government was to give the Government the power to turn and direct the operations of the Estates Commissioners more on one area of Ireland than another. Chiefly that was contemplated, and indeed it was a necessary provision. Supposing that purchase had for any reason not proceeded at all in one province of Ireland, it was very necessary that the Government should have the power of not using all the money available in the rest of Ireland, and therefore having none to allocate to a province where purchase for a time did not exist. So the Government kept under the Act the power of directing the Commissioners, so that for these great political reasons they could turn the full working power of purchase, if need were, more in one direction than another. And certainly I think they have sufficient power to avoid the clashing to which Sir Antony referred in his question. They can say to the Estates Commissioners, "Well, there is plenty of congestion to be dealt with in the Glens of Antrim and in the neighbourhood of Athlone, and therefore for this year do not buy any grass in that particular area of congestion, because the Congested Districts Board are buying there."

22845. Are you in favour of this, that all the grass lands in Connaught should be reserved to the Congested District Board's operations, and that the Estates Commissioners' operations should be excluded?—I think that would be too rigid a rule. You must proceed tentatively in Ireland, and I was pointing out what was done in that way, not because we did not contemplate this difficulty, but because we wished to have elasticity in the Act and at the same time to reserve to the Government the power of controlling directly the operations of this body.

22846. Most Rev. Dr. O'Donnell.—Would there be a division of spheres of action between the Board and the Estates Commissioners as regards settlement?—That is the question I have answered. Perhaps I had better answer your questions in their order.

22847. Unless something occurs to yourself I think you have covered the first?—As the result of long consideration by the Treasury and the Government it was decided to leave the Congested Districts Board with increased facilities to deal with the problem of congestion in the scheduled area and to give the Estates Commissioners facilities for dealing with it throughout Ireland.

22848. That is it. Then you seem to suggest that under the control of the Irish Government a working arrangement in any case should be arrived at in accordance with which the Estates Commissioners should not operate, much at all events, in the area in which the Board conduct these operations?—That would be my view.

22849. Sir Antony MacDonnell.—You think that is a view which is in harmony with the provisions of the Act?—Yes.

22850. That is, you would by executive order exclude the Estates Commissioners from operating in the congested area?—I should say that the object of putting the Estates Commissioners under the control of the Irish Government was in order to direct the operations of land purchase where they were needed, and seeing, as I put it a moment ago, that all the credit available was not taken advantage of by one district of Ireland, leaving another whole province of Ireland, may be, in the cold. I will give an example. When the Act was first passed it was said loudly, though, as it turned out, inaccurately, that there would be no purchases in Ulster, and Ulster did hang back for about two months. Now, if that had continued it would have been, in my opinion, the duty of the Government to exercise its general control and to see that all the credit available in the year, the £5,000,000, was not absorbed by the other areas in Ireland, leaving Ulster no credit available, since perhaps after six months Ulster would see her way to take advantage of the provisions of the Act. Some general power to prevent clashing of these two departments and to allocate the available credit must be reserved in the hands of the Government of the day.

22851. Most Rev. Dr. O'Donnell.—As regards the relief of congestion or the settlement and improvement of estates I suppose there is ample scope for the exercise of the energies of the Estates Commissioners?—Certainly. I should say that the Estates Commissioners have a great deal of work to do in the rest of Ireland where the problem of congestion has not been studied as fully as it has in the scheduled districts. I mean that the Glens of Antrim and other places demand attention.

22852. Clare?—And Clare, which was almost accidentally excluded from the schedule.

22853. And some in Tyrone?—Yes, and might I add this, that in considering whether the Board should continue we should bear in mind that the Board have been the pioneers in this matter, and that the provisions dealing with congestion in the Act of 1903 are based on the experience gained from the operations of the Board, and I think he would be very bold who should say that all that can be discovered has been discovered. The Board now is able to deal with matters a great deal better than ten years ago, but I should be sorry to abolish the Board until I was quite sure that they had discovered all that can be learned of the proper solution of congestion. That really is to come, and I am convinced that the Estates Commissioners have really a great deal to do in the rest of Ireland and can make progress side by side with the Board.

22854. Sir Antony MacDonnell.—Of course, if there was such a provision transferring the Estates Commissioners the Board's organisation would have to be enlarged to meet this work, but we have documentary evidence to show that at the present time in the opinion of the Treasury the Board should not expend more than £140,000 a year in the purchase of land. If any such limit as that or even five times that limit is to be imposed, the relief of congestion in the West, which is supposed to be a very pressing necessity, will be protracted *ad infinitum*. On the other hand, if the Board's organisation were enlarged and transferred to the Land Commission, as has been suggested, there would be greater expedition, as we think the Land Commission would deal very rapidly, having the money at its disposal, with the purchase, improvement and re-sale of estates?—But I may, perhaps, say a word, which I had it in my mind to say, about the relations of the Board with Parliament and the Government. I think if the Board could show that it is dealing with this problem in large areas it would have a very good case to present to Parliament. It is sometimes said that the Board is trying to go too fast, and Sir Antony has told us that it has been suggested that the Board should buy only £140,000 worth of property in each year——

22855. Most Rev. Dr. O'Donnell.—That has come in this way. The Treasury has said that the Board cannot on a sound and satisfactory basis pass more than £140,000 worth of land through its hands in a year on its present income?—Yes. Well, I have had in my mind that what lies behind this view is that the Board should buy only a certain amount of land in each year, say three estates or four estates, that it should complete the operations on these estates, re-sell them, and then take up another small number of estates. Now, that is absolutely opposed to what the Board, when I was a member of it, believed to be the true method. The true method is to buy a large amount of property and then to devote a certain number of years to putting it in proper order and condition, eliciting as much assistance as we can from the people to be benefited by this property. In the case of the Estates

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Commissioners they had to see that the loss would be ten per cent. Now, I make a suggestion. I think that if the Board saw its way to representing that the loss would be within a certain limit, not necessarily the same, but that their operations would entail a loss of a certain sum and not more, they then would have a better case for asking more money from Parliament and asking to retain the powers they now have.

22856. Seeing that they deal with the poorest class of congested estates their limit should be more extended than that of the Estates Commissioners?—That may be, but I think they would have a better case for it if they said "We have a great deal of property in the market now, and we may miss our market. We mean to get as much help as we can out of the people on the property and to cut down our loss, and we estimate that our loss will never exceed so much." I think that would be a reasonable suggestion to make. I have a precedent in my mind. Before the last addition of £20,000 to the Board's income was sanctioned it was stipulated by the Treasury that Sir Robert Holmes, the Treasury Remembrancer, should look through the accounts of the Board and see whether any economies could be effected. I think it would be worth the while of the Board to make some similar suggestion and ask the Treasury if they thought fit to appoint one of their representatives in Ireland—and there are several of them who have a knowledge of these affairs—to attend the Board's meetings *pro hac vice* and inform the Treasury how the Board does its work, and assure the Treasury that if the limit of loss is stated it will not be exceeded.

22857. Sir ANTONY MACDONNELL.—You know that our accounts in full detail are placed before the Treasury?—For scrutiny

22858. For scrutiny, and that these estimates are revised periodically?—Yes, but I think there is some value in my suggestion, and that when the Board are asking for £20,000 a year more they should invite the Treasury to send someone in whom they had confidence to see what the scope of their operations was likely to be, and to certify that in his opinion they would not exceed the pre arranged limit of loss. What I wished to say was this, that the funds given by Parliament to the Congested Districts Board were meant to be spent on the purposes which the Board exists to fulfil. The Board cannot hope to deal with this difficult problem without eating into part of its endowment. The Board must come to Parliament and say: "We have spent so much of our 1½ millions, and now we require further money, if you are satisfied with the manner in which we have conducted operations."

22859. Most Rev. Dr. O'DONNELL.—The loss would be something more than 8 per cent in the future?—Very likely.

22860. Mr. BRYCE.—The trouble at present is that the Board are unable to have an amount such as they actually require. In your minute of 26th February you say that you felt great doubt about whether the Board ought to have the £1,200,000 worth of property which it then had to deal with In view of the very success of the Act of 1903, the rapidity with which the land has changed hands, and the difficulty of getting in future sufficient untenanted land in counties like Roscommon and Westmeath for the relief of congestion in the western counties, ought not the Board, if it continues to deal with the problem, to have powers to deal with much larger sums than £1,200,000?—I am not here to argue whether the Board should continue, but in my view if the Board approached the Treasury on the lines I have ventured to suggest, and invited the Treasury to appoint a financial adviser, I am sure their case would get a hearing.

22861. Sir ANTONY MACDONNELL.—Quite so. But the point is, that having now bought, under the operation of the Act of 1903, land at a cost of nearly £1,500,000, we are actually unable to deal with it—to prepare the land for sale, since the margin we have for improvement is so small. And when we come to the Treasury and ask to have that margin enlarged, our power of dealing with congested estates will be further limited, while the same limit does not apply to the Estates Commissioners, seeing that their loss in dealing with estates is already met from the votes?—I am aware of the distinction. While that 10 per cent. was met out of their votes, your loss falls on your income.

22862. Precisely?—These are only two ways of doing the same thing, and what you have to do, if you have done good work, is to say that in order to continue to do it on this basis you require another £10,000 or £20,000 a year.

22863. Most Rev. Dr. O'DONNELL.—I understand that that ten per cent. comes out of public money?—It does.

22864. If a State loss is to be made on congestion, might it not as well be made by the Board as by the Estates Commissioners?—Yes, that is contemplated. On that point I will give you a parallel. In the case of the Estates Commissioners, if they do not get the money back, to that extent their reserve fund disappears. When it has all gone then will be the time to come and say that it must be increased if the work is to go on.

22865 The Congested Districts Board has a great deal of property on hand. Its staff has been largely increased since you were a member, and it is very efficient for the purpose of passing that property through its hands. It has to a considerable extent been delayed through that property not being vested in it in time. At present it is going full steam ahead, but in twelve months it won't have money out of its own income sufficient to meet the loss which the sale of these estates will entail, and in order to go on with its work an increased grant will be necessary. I gather that you suggest that the Treasury should be interested in the matter, and that some one representing the Treasury should be present at the meetings of the Board?—That is so.

22866. And you think that if the Board is able to put a good case before Parliament, seeing that the work has gone on well, and is increasing in volume, the funds necessary to carry on the work will not be denied?—I should support the demand myself in Parliament.

22867. Sir ANTONY MACDONNELL.—Do you suggest that a representative of the Treasury should attend only when financial questions are being discussed, or that he should be attached as an additional member of the Board?—As a temporary member when land purchase problems and congestion are under discussion. I think it would be well that he should know the policy of the Board.

22868. In order that the Treasury might be acquainted with the principles and methods of the Board?—I think it would be a good informal method for giving the Treasury information, to which I think it would be entitled if it were asked to give an increased income for the purpose of conducting these operations on a large scale.

22869. Although we have gone on much more expeditiously since the passing of the Act of 1903 than before, it has been definitely stated by Mr. Doran that we have merely touched the outer fringe of the question of congestion in the West at the present time?—From that, I think, it must follow that you should proceed with many estates slowly, and not with a few estates rapidly, because if the problem be as large as Mr. Doran represents it to be, the improvements should be largely carried out by the people, and the people should be led to understand that by executing improvements they were contributing their share to the solution of the whole problem throughout the country.

22870. Most Rev. Dr. O'DONNELL.—The purchase of these estates has been much more rapid and far greater in volume, and yet the disposal of the property to the tenants has hitherto not gone on at anything like a corresponding rate?—Yes

22871. And that is one of the reasons why only the fringe of congestion has been touched?—In order to deal with the worst cases of congestion I should like to say this. Supposing you come to an agreement with the Government that there shall be a limit to loss. Then, I think you must stipulate that in very bad cases that limit of loss must be exceeded, and that property may be held for a longer period than five years. Otherwise you never can deal with the worst cases. They can only be dealt with by being held, it may be for ten years, by a paternal Government

22872. Sir ANTONY MACDONNELL.—There again we have new difficulties that have arisen since you were on the Board. The tenants on these properties are now exhibiting great unwillingness to continue their farms, since tenants on the Estates Commissioners estates immediately begin reducing their annuities?—Yes, but these properties can only be dealt with in

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this way, and I believe that the Board is better able than any other Department to inculcate these views into the mind of the people.

22873. Therefore we are anxious to get untenanted land. That is a cure for migration, and unless we can get untenanted land we shall have these difficulties?—One other remark I should like to make. Under the Act of 1903 we had power to resume a tenancy in connection with migration. You ought to be able to get an advance for this purpose.

22874. Most Rev. Dr. O'Donnell.—I am anxious to emphasise again that for the purchase of untenanted land the expense might be spread practically over a period of 68½ years?—Certainly.

22875. Was not a portion of the increased grant to the Board under the Act available for Parish Committees?—No. The Board had asked for £20,000 in 1902. I had got £5,000 and the promise of £20,000, but when that promise was fulfilled in the Act of 1903, certainly I asked for the money in respect of the purposes we are discussing now in order at once to carry out the cure of congestion.

22876. But in your application to the Treasury in 1902 you did put forward the great advantage to the congested area of developing the Parish Committees as a reason for increasing the grant to the Board?—I think so. But I must say that the £20,000 was certainly, in my own words, "for the purpose of purchasing land and curing congestion.

22877. Sir Antony MacDonnell.—Just one question to clear up one point. You say that you desire a representative of the Treasury to attend the Board's meetings. Would not that be an infringement of the independence of the Board? Would it not be bringing Treasury control and Treasury supervision into the Board's operations?—I think not. I advise the Board to invite as a guest some gentleman in Ireland in whom the Treasury has confidence to go to the Board's meetings informally as an assessor.

22878. Merely as a guest?—Well, it has been done before. I am following out the precedent set when Sir Robert Holmes was given access to parts of the Board's administration. That led to an increase of £20,000 to the Board's income; if you are going to ask for another increase I think you had better follow the same lines and ask some gentleman who takes an interest in the subject to attend the meetings of the Board.

22879. I do not want to press the matter, but it does not end with the £20,000. Do you not think that if a representative of the Treasury got a footing in the shape of a guest he would remain there in the character of host?—At any rate it is better than being abolished.

22880. Most Rev. Dr. O'Donnell.—What do you think would be the effect of the increased price paid for land under the Act of 1903 on the problem of congestion?—I have no figures before me. The situation before the Act of 1903 was introduced was broadly that purchase was largely in abeyance. Most of the cheap land had been sold, and also most of the land belonging either to landlords in an embarrassed position or to owners with interests elsewhere—owners who derived the main part of their income from English property. The property belonging to landlords falling under these categories had in great part been sold, and more property had not come into the market. I need not go over the whole story down to the Land Conference, but I would say this, that I doubt if any increase of price on an ordinary tenanted estate has any material bearing upon the problem. Untenanted land, on the other hand, except to an almost inappreciable extent, was not in the market at all. There was no real provision in the earlier Acts for buying untenanted land at all. There are a few provisions scattered up and down the Acts, but all have been inoperative. It was not until the Act of 1903 that provision was made for purchasing untenanted land, and that means were provided whereby it could be bought. That Act was really based on the experience gained from the operations of the Board, so that my answer is that it is a new problem—the purchase of untenanted land in order to carry out large improvements, and untenanted land is always at a high price in Ireland.

22881. Of course, the more that is paid for untenanted land the higher will be the instalments for the settlers planted upon it?—Yes. Untenanted land of the best, or even of good, quality for grazing cannot be brought into the market except at a price which is almost prohibitive if it is to be used for agricultural purposes. That is why it is so very important to buy untenanted land of the right grade—not the strongest and best grass land, but the indifferent grass land which can without prohibitive loss be diverted to the occupation of the small holder. Where it is thought proper to buy untenanted land of a very superior quality in order to remedy acute congestion, then I think you must try to avoid the cost of building and fencing, and that the land should, under some of the provisions of the Act, remain as common pasturage for those who desire it. If you cannot provide grass of a quality which would cut up without prohibitive loss, then the grass had much better remain as common pasturage. It would benefit the small holders enormously, and I doubt whether you could cut up good grass without a loss which Parliament probably would not contemplate.

22882. Their condition would be materially improved at a comparatively light expenditure?—Yes, where you cannot get moderately cheap grass.

22883. When the agricultural work of the Board was handed over to the new Department in 1904 was there any stipulation to give more than £2,000 a year out of the funds so long as there were congested estates to be settled?—I am not aware of any stipulation, and I had no intention of giving more. My idea was that we should free the income of the Board as much as possible from all charges except those for land purchase and the cure of congestion. But so far as Parish Committees are concerned, I felt that we should be departing from the paternal character of the Board if we gave up that work. Certainly part of the policy which I had in my mind was to concentrate the work of the Board as much as possible upon dealing with the problem of congestion and to hand over the other work to the new Department.

22884. You were particularly anxious to secure funds for the primary work?—Certainly. I personally held the view that it was of little use to do anything further until you had improved the social life in the congested districts.

22885. You consider that there are many poor parts of the West of Ireland where instruction in the technicalities of agriculture would not be advisable until the condition of the people is improved?—I think it would be positively dangerous in the very bad part. The people have got a rooted primitive method of agriculture, but it does produce a kind of economic balance. Take it at its worst. People keep cows in their houses, and grow potatoes in lazy patches and allow as many weeds as possible to grow with the potatoes. They pull these weeds and feed the cattle on them. I could not go and tell them that they ought not to have weeds; the cows would starve. Until you have bought that land and taught them some better form of agriculture I do not think you could do much good by lectures.

22886. I noticed, I think, in a Government return that there is a subvention of £10,000 a year in relief of local taxation in the highlands and islands of Scotland. I do not know whether I am correctly informed. Would you be in favour of a similar subvention in aid of local taxation which is so exceedingly high in the Congested Districts of Ireland?—Personally I have always felt that something in the nature of the recommendations of the Royal Commission, over which Lord Balfour of Burleigh presided, should be given effect to on many grounds, amongst others because I think it would assist the western districts of Ireland.

22887. Taxation there is exceedingly high?—I know how high the rates are in several unions there.

22888. Mr. Bryce.—This memorandum of 3rd October, 1903, I think, really represents a change of ideas in regard to the objects of the Congested Districts Board, for the original object of the Board was not to buy land, for which they had no powers, but to improve the industrial conditions of the people with a view to assisting congested centres. As stated in this memorandum, the view taken was that the object was to buy and improve land, and not to improve industry?—I think that substantially that is the case. But the Board was started rather to consider all the possible methods of dealing with the problem of congestion in the West than to prosecute any one object. I remember the creation of the Board very well. I was Mr. Arthur Balfour's secretary at the time he made the preliminary journey into the West which led to the formation of the Board, and I was with Mr. Balfour when he had his first interview with the Bishop of Raphoe, which led to the creation of the Board. All the

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theoretical cures for dealing with the West were fully discussed at the time, and nearly everyone was agreed that the object of the Congested Districts Board was first to investigate and then to prosecute experiments. There were ideas such as that if you took the worst land and dug trenches at short intervals and filled them with lime you would get good land. Emigration, migration, cottage industries, afforestation, were all within the purview of the Board as originally established. And then, as they gained experience, their view came to be that you could do more good for the congested districts by giving them a secure agricultural foundation than by attempting to do anything of a more ambitious character until you had secured that foundation, and that teaching the people when they had no secure social basis in the country was not a lasting remedy. We thought that we ought to concentrate our efforts on remedying congestion itself. That was how the Board took up those methods of dealing with congestion, and what they discovered was adopted by the Government of the day in 1903 as the policy for dealing with congestion throughout Ireland.

22889. Most Rev. Dr. O'Donnell.—Mr. Bryce was not here when Mr. Arthur Balfour stated what the Board was expected to do. He said that from the first purchase was contemplated, and all such methods of dealing with the land as the Board in the exercise of a wide discretion might find most useful for the purpose of relieving congestion.

22890. Mr. Kavanagh.—Had you in mind the possibilty of clashing when the Act of 1903 was passed?—I had in my mind the possibility of clashing. We had considered various solutions, and one was the possibility of handing over the whole of Ireland to the Estates Commissioners. Another also considered was to hand over the problem of congestion to the Congested Districts Board or to some of its members throughout the whole of Ireland. Both bodies had access to the Guarantee Fund of a county such as Mayo, most of which is scheduled. Every Government in passing land legislation for Ireland has to build on past Acts, and the Act of 1903 had to be built more or less on the financial foundations of the Act of 1891. After ten millions of cash under what are called the Ashbourne Acts had been entirely absorbed in land purchase, it was thought necessary to have an Irish guarantee for any further advances, and the guarantee was practically the Exchequer subventions to the various counties in Ireland. That worked well, and the security was found to be unimpeachable, so that when we came to the Act of 1903, we doubled the guarantee based upon these subventions, and Parliament permitted that which it certainly would not have permitted in 1891. That being so, how were you going to deal with the Congested Districts Board administering certain districts only in each a county as Mayo, while the Estates Commissioners dealt with the whole of Ireland, including the rest of Mayo? After very careful consideration we came to the conclusion that instead of the Board having thirty-three per cent. of the credit and the Estates Commissioners sixty-six per cent., it was better to let both bodies have full access to the county guarantee of County Mayo, and that the Government should keep general control over the Estates Commissioners, so that they could direct their operations to the places where they were most needed and where they were least likely to clash with the Congested Districts Board.

22891. Mr. Kavanagh.—Was it ever contemplated taking all the purchase powers away from the Congested Districts Board and giving them to the Estates Commissioners started in 1903?—It was contemplated, but I do not think it was contemplated long. The Government responsible for the Act of 1903, feeling that that Act was based, so far as pure congestion was concerned, on the successful experiments of the Congested Districts Board, did not think it appropriate to abolish their power.

22892. It was thought that the two bodies could act without clashing?—Yes.

22893. Mr. Bryce.—Have you in your mind any idea of how this difficulty of the rapid action of the Act of 1903 in facilitating the transfer of land from landlord to tenant is going to be got over as regards the relief of congestion? Have you any way to suggest by which the Congested Districts Board or any other authority can without compulsion get into its hands before it finally passes away into the possession of the tenant, land available for the relief of congestion?—That difficulty was foreseen, and I think met to a certain extent by a provision in this Act which forbids the creation of new tenancies or the sale of newly-created tenancies after a certain date. That is rather a technical subject. On untenanted land there is, of course, no tenant, but it was thought tenancies might be created and land sold to the new tenants so created. To prevent that and to keep untenanted land available, should it be required for curing congestion, it is laid down in the 1903 Act that money will not be advanced for the purpose of tenancies created after 1st January, 1901, above a certain limit.

22894. Sir Antony MacDonnell.—£500 is the ordinary limit for tenants, and it may be extended to £3,000 in the case of counties not comprised in the scheduled congested areas?—There were exceptions admitted in exceptional cases, but I think my answer covers your question, Mr. Bryce. The untenanted land remains there unless it is bought for this purpose. It cannot be sold. The credit of the State cannot be used in order to sell untenanted land as large holdings.

22895. Surely it can be so sold. A number of tenants from Roscommon could come and apply under Section 2 of the Act for farms, and these farms may be sold to them provided they do not go above your value?—Yes. But why not. That is a very small farm.

22896. It is thirty-acre farm?—That is quite right.

22897. So that the whole of the untenanted land in Roscommon may disappear?—To small holders.

22898. But your congestion would remain unrelieved?—I do not see the relevancy. I do not know that any landlord has created a number of thirty-acre farms in Roscommon. I have not heard of it, and I do not think it is going on.

22899. It is going on. The Estates Commissioners are buying grass land and re-selling it. They are dividing it into small holdings and putting small tenants upon it. Do you think that they are clashing with the Congested Districts Board?—That is just the point. It is a point for the Government of the day to consider and see that the two Departments do not clash.

22899a. That is what we want to do, and we want your advice on it?—I think the Government of the day must keep its eyes on those matters. I was not aware that a number of small holdings were being created at the present moment. I should not deplore it. I think it so much to the good.

22900. Great pressure is brought to bear on the Estates Commissioners by the sons of tenants and others for whom Section 2 of your Act made provision, and this pressure comes not only from Roscommon but from all over Ireland?—I may say that Section 2 of the Act contemplates various categories of persons, but no priority is given to anyone under the Act. I always felt time alone would show how such a measure as this should be administered. The Government therefore must keep control over the Departments which administer it. It would not do to devote all the land in Ireland to the needs of those who had failed most conspicuously in the pursuit of agriculture. That would be a form of paternal Government which would be an evil to the future good of Ireland. I agree if we are to have paternal Government in the West, and that is conceded, it would not do to allow prosperous sons of successful farmers to take up all the land which was needed to remedy the worst conditions of the West. That is why the Estates Commissioners were put under the control of the Irish Government, in order that the Irish Government might have a policy and that the Department should conform to the policy of the Government.

22901. Mr. Kavanagh.—Untenanted land cannot be bought under your Act except by the Estates Commissioners?—And the Congested Districts Board.

22902. Mr. Bryce.—For the purpose of relieving congestion in congested counties?—Yes. The sale of small holdings is assisted by this Act, but the sale of large holdings is not assisted. It does not prohibit the sale of large holdings, but it does not lend credit for the purpose of creating and selling large holdings. That is the policy of the Act.

22903. Sir John Colomb.—From your experience and knowledge of this problem of congestion in Ireland do you conceive it possible that under any system permanent and real relief will be the matter of a short time?—No, not a short time.

22904. Do you consider that you can relieve this accumulation of congestion of many generations except by a more or less slow process and remedy?—I think the progress will be slow whatever efforts are made, but it will be very slow indeed unless great efforts are made.

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Right Hon. George Wyndham.

22905. With regard to the Treasury officials I should like to ask a question. In answering my original question you stated that when you were Chief Secretary, and filled the important position on the Board as a member of the Government, you considered the position of the other members of the Congested Districts Board co-equal with yours?—I added a rider to my answer.

22906. Do you see why a Treasury official if introduced as a temporary member on certain important occasions should have granted to him by Parliament more power than you had as Chief Secretary?—No, I do not.

22907. With regard to buying estates for the purpose of keeping them in hand, do you see any objection to that policy arising through this fact that the Congested Districts Board, pending the time of the sale to the tenants, stands really more or less, under certain obligations, in the position of the ordinary landlord to the tenant?—That, I think, is the virtue of it You must have a landlord, and a landlord with greater powers than Irish landlords have been enjoying for the last twenty-five years if you are to remedy the bad features in the property. It cannot be done in any other way.

22908. Do you see no difficulty likely to arise as a result of the interregnum between the time the Congested Districts Board or the Estates Commissioners buy the land and the time they are in the position to re-sell to the tenants Do you say no difficulty may arise from the operation of the Act of 1881 being applied to them?—Take the Congested Districts Board or the Estates Commissioners. Their position is not exactly that of landlord, because they are released from some of the provisions of that Act. The Congested Districts Board have been given power of expropriation which no landlord has under the Act of 1881. The landlord powers of the Board have been increased in order to deal with congestion.

22909. The Government found from experience it was necessary to restore some of the old power of landlords in order to put the Congested Districts Board in the position of dealing practicably with the property?—That is so.

22910 But at the same time this remains, that if the Board or Commissioners have bought land and are holding it they are in the position of landlord as far as liability to fair rent fixing goes?—Yes

22911. Might not the effect of that be this. Suppose that the authority, namely the Congested Districts Board or Estates Commissioners, having bought a property had some general idea of what the amount of annuities would be which they could call upon the tenants to pay, apart from the question of improvements, and suppose that in the interval many tenants came into court and had their rents reduced would not that upset altogether the calculations of the Congested Districts Board or the authority buying it?—That is not likely to be the case. Hitherto the Board have been able to carry the tenantry on the purchased property with them. The Board have been very successful in meeting difficulties of that kind. There may have been a little trouble here and there, but when it has been explained to the occupiers of the property that they cannot have it all their own way, or take more than their share they generally see it and fall in with the Board.

22912. In order to carry out their policy, which I entirely agree with, you do not think it would be necessary to introduce any fresh legislation?—I have not gone as far as that. I think experience will always teach us that something more might be done. I said the existing powers of legislation were not enough. You ought to be able to pay for the tenant-right of a holding out of your credit and not be forced to pay for it out of your income.

22913. But you rely more upon the fact that the position of the Congested Districts Board is established, and the evidence that it is established than on any fresh legislation?—Rather than on compulsory powers, and I think rather than on any legislation. I think the position of the Board and the power of the Board depends chiefly upon the fact that it has won the confidence of the people in the West of Ireland

22914. You think there is less risk and less danger in the policy of buying and holding on to property if in the hands of the Congested Districts Board than if it is in the hands of the Estates Commissioners?—I would rather not express an opinion as between two Departments of the Government further than to say that the Congested Districts Board have the confidence of the people in the districts in which they work, and to that extent there is a reason for allowing the Board to continue its operations in those districts.

22915. My point is that there may be more objection to it being done by the Estates Commissioners than by the Congested Districts Board?—I should not like to express an opinion on that. It is clearly not within my knowledge I should hope the Estates Commissioners would gain the confidence of all classes with whom they have to deal.

22916. Sir ANTONY MACDONNELL.—It is true that the Estates Commissioners have nothing to do in their operations with the rent fixing department of the Land Commission, which is subordinate to the judicial tribunal and is entirely independent of any executive authority?—Yes

22917. Sir JOHN COLOMB.—Do you not think it is pretty certain the more the policy is carried out of acquiring and purchasing untenanted land the value of the land not purchased must be increased?—The ordinary law of supply and demand applies.

22918 CHAIRMAN —One of the paragraphs in our reference is to inquire into whether any of the areas outside the present scheduled areas require to be scheduled. Have you any view on that?—No. I have not given consideration to it.

22919. While you were a member of the Congested Districts Board were you personally aware of any ill-feeling caused by the present limitation?—I think the inhabitants of the scheduled areas were regarded as somewhat favoured people.

22920 You have no reason to think there was any particular injustice done to any of the people living outside the congested areas?—I would not go further than to say that the definition of the scheduled areas is accidental to the relative prosperity of the people inside them and without them to a certain extent.

22921 The scheduled areas being based on the provisions of the Act of 1891 include only the very poorest up to a certain grade, but there are some just as poor outside the scheduled areas?—That must be so. Any definition is open more or less to that criticism. Wherever you draw a line there is something just outside it which might be included.

22922. You have no particular view as to whether that line ought not to be altered?—I should be glad to have the question considered, but I have not formed any particular view myself.

22923. From your experience of the Congested Districts Board and in Ireland generally, do you have much hope it will be possible to develop industries to any great extent in the West of Ireland?—I say that certainly the effort ought not to be abandoned. But I hold that the amelioration of the condition of agriculture is the first consideration. You must place the tenants on a sound agricultural basis. Much money has been spent in Switzerland, Bosnia, Herzegovina, and the new provinces administered by Austria to encourage the pursuit of minor trades, particularly in the winter months, and I should be slow to abandon the hope that the smaller Irish holders would pursue a similar policy and make an addition to their income by such trades in the winter months, but they have not done it yet.

22924. Those are industries of what are called the cottage type?—They are.

22925. Do you believe large factories could be started successfully?—Under the present economic conditions I cannot foresee that it would be possible.

22926. Sir ANTONY MACDONNELL.—It has been stated to us that the promotion of those small cottage industries leads to unsatisfactory results. I think that I am right in saying Mr. Fletcher stated that these small cottage industries, on the whole, have in the long run a deleterious effect instead of a beneficial effect?—On the Continental industries.

22928. No. In the West of Ireland. I confess I am unable to follow him?—I am unaware of any deleterious effect proceeding from them. I think some of the girls do overwork themselves in making lace.

22929. I do not mean a deleterious effect physically. It is said the practice of lace-making and so on unfit them for household work, and unfit them generally for their situation in life?—I do not share that opinion.

The Commission adjourned.

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FIFTIETH PUBLIC SITTING.

FRIDAY, MARCH 15TH, 1907,

AT 11.0 O'CLOCK, A.M.

At Winchester House, 21 St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (in the Chair); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.,

and WALTER CALLAN, Esq., Secretary.

Mr. W. H. BOYD examined.

Mar. 15, 1907.

Mr. W. H. Boyd.

22930. CHAIRMAN.—You have been asked by the Executive Committee of the Irish Landowners' Convention to give evidence here?—Yes.

22931. I see that you are a landed proprietor and a Magistrate and Deputy Lieutenant of the County Donegal?—Yes.

22932. And that you farm yourself about 500 acres of land, and that you have been a land agent for a great number of years?—Yes.

22933. I also see that you have held various public positions of importance in Ireland?—Yes.

22934. Now, you have been kind enough to give the Commission a precis of your evidence, and from looking at it it seems to me that perhaps the best plan would be for you to read it down to the bottom of paragraph 9 of your memorandum * That, I think, covers the conclusions you have arrived at?—Yes.

22935. And then after that will you begin to develop the reasons for arriving at such conclusions?—Quite so. Under the terms of reference as to the operation of the Acts the conclusions I have formed are, first, that congestion as defined by statute covers a much larger area than does the real poverty that forms the acute problem most necessary to solve; second, that real poverty exists outside the scheduled areas and that much inside the scheduled areas is in need of exceptional treatment; third, that it is a fallacy to assume that the enlargement of holdings generally to £10 valuation will be any cure for much of the poverty that does exist within scheduled areas. A fallacy underlies the terms of reference as to what lands would be available to relieve congestion. A fallacy underlies this in the assumption that the enlarging of holdings necessarily results in relieving poverty. It certainly does result in removing statutory congestion by raising the valuation per head above £1 10s. There are thousands of acres available throughout Ireland in almost all directions that, if bought at a fair price from the owners, will be available for migrants. Those nearest to a carefully revised schedule of congested districts would be most suitable. Care should be taken not to attempt to till land that can be grazed to greater profit nor to transfer migrants untaught and ignorant of agricultural methods to lands that require good farming to make them profitable. In thickly populated parts and where rundale and mixed plots abound if a judicious system of emigration was encouraged of whole families it would result in good to the individuals and to those left whose holdings could be enlarged, and the cost would be far less than that of migration. Colonies of emigrants could be placed in Canada with manifest advantage. Those are the conclusions to which the following evidence refers. In the first instance, that Ireland has made and is making rapid advances in the career of improvement as evidenced by the capacity for accumulating capital, the increase of trade and shipping tonnage, the rise of agricultural produce in price, the increase in number and value of stock; the rise of the producing power of the soil; the great increase of all means of communication by land and sea, and a comparison of the census returns and educational statistics. I have these all in detail, but perhaps it is better to go on direct.

22936. Will you, or shall we ask you any questions?—Whatever you like, my lord.

22937. How far do a, b, c, d, e, f, g, h, take you?—These are all simply to prove that Ireland is making rapid advances, and under each of these headings I have statistics to produce if you think it necessary.† They are in support of conclusions 1, 2, 3, and 8.

22939. Let us take the first. What do you mean by the capacity for accumulating capital?—The increased lodgment of deposits in joint stock banking companies and in the Post Office savings banks among others. The statistics for those are remarkable. The Post Office Savings Bank deposits in 1886 were £2,592,000. Last year they were £10,459,000. In joint stock banks the deposits in 1886 were £29,223,000, and last year they were £45,842,000.

22940. And you conclude from that?—That the country has a large capacity for accumulating capital. The money must come from somewhere.

22941. I do not wish to argue with you, but may not that be due to the fact that capital has in recent years not found safe sources of investment?—Well, I think it is hardly likely where from 1886 to 1906 there has been a steady improvement. It is not a fluctuating thing. But I do not for a moment mean to say that it is all the result of profits derived from land, or anything of the sort. I simply state that I think Ireland is in a progressive state of improvement.

22942. At any rate it does show this, I suppose, that there is a considerable amount of capital lying in Ireland which might be available for investment if the conditions were such that the people were satisfied that they could invest it in security?—Here is a diagram showing the increase in the lodgment of deposits in joint stock banks, and I think that all bankers are agreed that that is a very strong indication of the financial position.

22943. Most Rev. Dr. O'DONNELL.—Are there any statistics, Mr. Boyd, that would show to what extent those deposits are from the farming classes?—Not that I am aware of. We applied to see if we could possibly get these statistics allocated, to show what was in congested areas, and the information received from an official in the Department indicated that till the last three years the habit of the Department had been not to preserve them. They are only available for the last year, and I do not think that sufficient at all.

22944. CHAIRMAN.—Then you mention the rise of agricultural produce in price?—I go into that in detail.

22945. I merely want to say there that we have had the evidence of the Commissioner of Valuation as to the rise in price of agricultural produce, and at the same time I suppose there is no doubt that there has been a considerable rise in the cost of labour?—There has, but nothing at all in comparison to the increase in value. The rise in the cost of labour, which I deal with subsequently, is largely counteracted by the use

* See p. 232.

† See p. 232.

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of machinery and other things which cheapen labour, so that the individual may be getting a considerably higher rate than he did originally, but there are fewer employed. It is discounted to a considerable extent by that. But I deal with it in detail subsequently.

22946. Then in regard to tillage, you say that there is a rise in the producing power of the soil?—Yes.

22947. Then, may I remark that the soil has not increased that producing power by itself—that it is due to the labour that has been bestowed on the soil?—Yes, and consequently a greater yield and more profit.

22948. Yes, but that has come from the efforts of the people to till the soil?—Yes, in part, and in part from the landowners' arterial drainage and this kind of work which has largely increased the value of the districts.

22949. At any rate it is general?—Quite so.

22950. Then what about the comparison of the census returns?—Well, it is very remarkable, taking it in the middle of the last century, to see the number of miserable houses there were then, without even windows in them, and to find the gradual reduction of those, and also to find the large percentage of people who could neither read nor write. I think it was 45 per cent. in the middle of the last century, and it is now down to fourteen. It is more of an educational question, but it comes into the census. And the improvement in several things that the census makes a return of shows that there has been a distinct improvement—the enlargement of holdings in certain places.

22951. I suppose what you find in the census returns is not all to the good. You have got a much larger number of lunatics?—Oh, possibly.

22952. Is not there reason to believe that the population of Ireland to-day is less physically sound than it was a few years ago?—I think that applies everywhere. I mean that that is not confined to Ireland.

22953. Has the large emigration from Ireland, in your opinion, had no effect upon that?—Oh, certainly, and it is most deplorable, the emigration of the bone and sinew of the country.

22954. And therefore what the census returns show as regards what I may call the decay of manhood in Ireland is due, in your opinion, to a certain extent to the emigration?—Certainly.

22955. Sir ANTONY MACDONNELL.—You put a case of more prosperity, and you say the departure from the country of all the manhood leads to that increased prosperity?—I did not say that that led to it.

22956. Can you have increased prosperity without efficient productive agents?—It shows how extraordinary is the power of the country in spite of emigration.

22957. Let us come to facts and not to words. You say "the power of the country." What is the power of the country—is not the power of the country the hands of the labourers of the country?—No; that is only one item in it.

22958. Is not it a considerable item?—It is a considerable item, but it requires a combination of labour and many other things to make the prosperity of the country.

22959. Well, I merely wish to direct your attention to the facts which you mention. You say that the country has increased in prosperity whilst at the same time it is being drained of the chief agency which would promote that prosperity. How can you reconcile those two things?—I think what I stated is that it shows a rapid advance in the career of improvement. I did not speak of prosperity at all.

22960. You distinguish improvement from prosperity?—Well, technically yes.

22961. How technically?—Because improvement is gradual. It may not reach the point of prosperity.

22962. How do you differentiate prosperity from improvement?—Because I say improvement is a gradual process. Prosperity is a state, a condition.

22963. Is not it the result of the improvement?—I think so.

22964. And yet you say you can have prosperity without improvement?—I did not. Excuse me. I said you can have improvement without prosperity.

22965. It is the same thing. You say prosperity is the result of improvement, and yet you say you can have improvement without prosperity. You assert the cause and you deny the result?—I hardly think so.

22966. Mr. KAVANAGH.—Prosperity is the goal?—Yes; that expresses my view.

22967. Sir ANTONY MACDONNELL.—Then the goal has not been reached?—Well, I have not entered upon that yet in the evidence.

22968. CHAIRMAN.—Now, as to paragraphs 1, 2, 3, and 8 on the paper?—Before you pass from the question of the census returns might I mention that I think it is also a remarkable instance of improvement in connection with the Agricultural Department that in 1889 when the Agricultural Co-operative Organisation movement started there were only fifty members in the whole of Ireland belonging to co-operative organisations, and that in 1901, which was the last year available, there were 51,000.*

22969. Sir JOHN COLOMB.—With regard to the question of prosperity and the effect of emigration upon labour I suppose you will admit that there are three agents of production and prosperity—land, labour, and capital?—Yes, certainly.

22970. Now, with reference to your figures as to the growth of the deposits in the Joint-stock Banks and the Post Office Savings Bank, may I ask you this—Having spent your life in Ireland and had the opportunity of closely examining the conditions of Ireland is it or is it not your opinion that, speaking generally, a salient feature of life in rural Ireland is that those occupying land do not like to put capital into the land, that is to spend cash in the improvement of the land?—They do not like it, and they do it only to a limited extent.

22971. And is it your opinion that if by education and other processes they can be induced to see that in order to be prosperous and to make the best of their holdings they have to put capital into the land it would accelerate the process of improvement and immensely conduce to prosperity?—Unquestionably.

22972. And do you or do you not consider that one of the great difficulties presented by the Irish Land Question is two-fold—the dislike of the occupier to put capital into the land and the dislike, as testified by Professor Campbell, of the young men to labour on and work the land?—Yes, I think there is a great deal in that.

22973. And do you not think that these two facts concerning capital and labour greatly contribute to the difficulty of the Irish problem?—They do.

22974. And do you or do you not consider that they are contributing causes of the congestion?—Well, not in the sense in which the term is used.

22975. In the sense of poverty?—In the sense of poverty they are, certainly.

22976. I take it that in your opinion at all events, supported by the figures that you gave, Ireland has a fairly large capacity for accumulating capital. You said so?—Yes.

22977. There is an actual process of accumulating capital going on in Ireland now?—There is.

22978. And is it your opinion from your experience and knowledge of farming that if instead of accumulating in the banks and in the Post Office Savings Bank, capital was diverted to the land it would immensely help to solve the Irish problem as far as the maximum amount of prosperity?—It would assist very much.

22979. Well, I think the emigration question would come later, and I will not ask you about that, but with regard to the economic question I ask you this—You say that it is a fallacy to assume that the enlargement of holdings generally to £10 valuation will be any cure for much of the poverty that exists in scheduled areas?—We will come to it in due course.

22980. Then No. 8 in your paper is the economic case?—We are not at that yet.

22982. Can you give me any reason why in your judgment, when a man in the occupation of land has money lying in the bank and when it is perfectly obvious to everybody who knows anything about land that money put into the land would improve it and improve his position, why he does not put it into the land?—I think a great deal of it arises from want of proper agricultural knowledge and instruction. If Irishmen saw that by investing £100 they would make £200 they would do it; but they do not understand it.

22983. And am I putting your view correctly when I say that in your judgment it is the spread of knowledge and education on which the greatest confidence can be placed, more than anything else, for the improvement and prosperity of Ireland?—Of a technical kind in connection with agriculture.

22984. I mean the knowledge of how intelligently to work that land and how economically to apply to it labour and capital to produce the best result?—Quite so.

* In 1906 there were 90,000.

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22985 Sir ANTONY MACDONNELL.—Are you acquainted with parts of the country in which land purchase has taken place to any extent?—Yes.

22986. In the case of farms which have been bought by tenant purchasers is it your experience that a great degree of industry and labour is expended upon those farms?—In some cases.

22987. It is the experience elsewhere. Is it not the fact that upon those farms money is being spent and capital invested?—Yes, in some cases.

22988 Is it not reasonable to think that the reason why capital has been invested in those farms is that the tenants are now secure in the tenure of their farms?—Honestly I do not think it has much to do with it.

22989. You think, then, that a tenant is equally likely to expend his capital upon land which does not belong to him?—I did not say so.

22990. I ask you the question?—No; I do not think he is.

22991. Then I say your answer is contradictory of what you said before?—Allow me to explain. Ireland is very peculiar, and it is very difficult to lay down any general rule that will apply to all cases.

22992 Human nature has much the same influence on interest in Ireland as in England?—But we have human nature in Ireland to a remarkable degree. One's expectation in Ireland is often absolutely disappointed, and we are surprised at what happens. If I had been asked which would be the most likely to be successful, the half-Scotch settlers in the County Londonderry or the more or less Celts in the County Monaghan, I would have certainly said the Derrymen would have become the best settlers after they had purchased the land, but the reverse has been absolutely the case to my own knowledge. In Derry, in the large districts that have been brought from the London Companies, the young men go in for sporting and amusing themselves. They will not work the land, and the older heads of the house are unable to do it, and it has resulted in this, that mock auctions are constant. I do not know whether it has come before the Commission or not, but if not I had better explain what mock auctions are.

22993. Sir ANTONY MACDONNELL.—We have had that*?—Yes. Well, it is very common in Londonderry, and I am informed by men who know thoroughly well that the auctioneer there is becoming a political influence through the power that he has through these auctions of control over the people.

22994. Sir FRANCIS MOWATT.—Are you now speaking of holdings which have been bought?—Yes: from the London Companies, in the County Londonderry.

22995. Sir ANTONY MACDONNELL.—Quite recently?—Quite recently.

22996. CHAIRMAN.—I thought that mock auctions only applied to stock. Do they not?—No, to land.

22997. To land also?—Yes, this is what happens in the case of land.

22998. We have heard about wonderful cases of cows which fetched £75?—Well, what happens in the case of land is this:—Three or four men or any number of men who find it impossible to overdraw their bank account and are in need of money, and whose sons will not take an intelligent interest in the farm, call in an auctioneer, and the auctioneer puts out advertisements, and these men buy each other's land and pass notes. These notes are put into the hands of the auctioneer, and a certain amount of money can be obtained on them out of the banks through the auctioneer.

22999. Most Rev. DR. O'DONNELL.—The lands are let for the year?—For the crop. These men never till the land, and after they have so bought through the auctioneer each man still occupies his own farm as best he can; but the notes have been passed. The whole thing is a fraud, and the money is spent, and they pay back as best they can. I was contrasting the Derry men with Monaghan men now. I am very familiar with Lord Bath's property in Monaghan, because I was trained up to land agency work under the late William Steuart Trench, his agent. An enormous amount of money was spent by the landowner in building houses and otherwise improving the tenantry. That land has been bought by the tenants, and those men are patterns of industrious and hard-working men to the whole barony, and had I been asked beforehand I would certainly have said, from my own knowledge, that the Londonderry men were more likely to turn out good settlers than the Monaghan men. The barony of Farney was always troublesome, and yet those men have turned out patterns for Ireland.

23000. Sir ANTONY MACDONNELL.—The point to which I was inviting your attention was that you said that so many millions of money were locked up in joint stock banks and the Post Office Savings Bank and soforth, and that you said that this money was not invested in Irish land by the tenants for some reason peculiar to the Irish tenant, some double-dose of original sin peculiar to the Irish tenant?—I did not say that.

23001. Well, it is my comment, and I asked you whether you had seen holdings which had become the property of the tenants, and whether in these holdings there was not capital invested to such an extent as would make them an exception to the rule which had been laid down, and you admitted that; and then I suggested that the reason why there was capital expended in the one case where the proprietorship had been acquired by the tenant and no capital expended in the other case where the tenant was not the proprietor was due not to a peculiarity of the Irish peasant but to the unwillingness and reluctance which is shared by every tenant throughout the civilised world to invest his money in property which does not belong to him. Is not that a reasonable and probable explanation of the fact to which you called attention?—It is, but it requires to be qualified.

23002 But in the ordinary course of things that is true?—No, on the smaller estates. My reason for saying so is this, that on all the large properties in Ireland, of the men who have large rentals, there may be exceptions, but as a rule the security of the tenant was as safe before as after, and the tenants know it. It has very often happened that small men, men who have bought property through the Landed Estates' Court as a commercial speculation, have certainly treated their tenants as they ought not to have treated them, and what has been done by these men is applied to Irish landowners as a class, whereas there are hundreds and hundreds of Irish landowners whose tenants always felt themselves perfectly secure in their improvements but would not invest money in their land.

23003. You admit that the general course of legislation is against that view?—Oh, yes, but I may say that won't prove it.

23004. Then you set up your judgment against the wisdom of the entire Legislature?—Pardon me; Mr. Gladstone, in introducing the Act of 1881, I think, entirely exonerated the Irish landowners as a class from any imputations that had been cast upon them.

23005. At all events, the principle of the legislation was that, in order to ensure the property of the Irish tenant farmer, it was desirable to transfer to him the property of the soil, and you admit cases in which the transfer has been justified by the fact that the farmer is improving his holding and that capital is being invested in it?—Not in the cases in Londonderry, and I can give you many others.

23006. On your own authority, I get it that in farms which have been purchased you do testify to the fact that capital is being invested?—Pardon me; I testified to the fact that in some cases it was. I did not apply it generally, as you have quoted me. I only said in certain cases, and I gave you cases, and I can give you more where it has been absolutely the reverse.

23007. Sir FRANCIS MOWATT.—That is that a tenant on purchasing his land ceases to invest capital in it which he did before?—No, not that, but that he is neglecting to improve it.

23008. Sir JOHN COLOMB.—But as a matter of fact, is it not the case that since 1881 the tenants of Ireland have had the most absolute security as regards fixity of tenure so long as they paid their rents, and that their improvements could not be confiscated?—Certainly.

23009. Then is it not the case that the present generation of Irishmen in occupation of those holdings have grown up under a system of perfect security of tenure and in perfect security against what they put into the land going to the landlord and not to themselves?—Yes, they have had security against that for the last twenty-six years.

23010. And therefore that has been the condition of things prevailing for twenty-six years?—Thirty-six years, since the Act of 1870.

23011. My question was with regard to the Act of 1881; that is my starting point and a whole generation has since grown up in absolute security, and meantime capital has been accumulating and practically not going into the land?—Yes.

* See Appendix to Third Report of the Commission [Cd 3414, 1907], p. 54.

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23012. Although the security of the occupier was practically absolute and his improvements were thoroughly secured to him?—Quite so.

23013. And that being so, as regards the inducement for him to put in capital, whether a man is a purchasing tenant or not, under the Act of 1881 he is equally secure as regards the capital that he puts in being for his own advantage and not for the landlord?—Quite so.

23014. Sir Francis Mowatt.—May I put a general question upon that? We have had throughout our inquiries general evidence that small holders who have purchased have, generally, greatly improved their holdings and have invested an increased amount of capital in them. I understand you to say that you do not admit that?—Not as a general thing. In certain cases they have.

23015. In certain cases. By that, I presume, you mean exceptional cases?—Well, no; I would not say exceptional cases. They have in many cases.

23016. Do not think I am pressing you unduly, but the whole question turns upon the percentage of small holders. Should you say, for instance, that the larger portion of the small men who have purchased under the recent Land Act have thereupon introduced a new spirit of industry and development that they had not shown before?—I do not think I could say the larger portion, but I think three years is rather soon to judge. I would not draw any conclusion from their not having done so.

23017. I want to get the meaning of your opinion. You used the expression "some instances," and I want to ascertain as nearly as I can what the expression "some instances" was intended to mean. You say not the larger portion?—I think not yet the larger portion. A great deal depends upon the individual's own knowledge and character, and all that sort of thing.

23018. Most Rev. Dr. O'Donnell.—There are only one or two questions I desire to ask you, Mr Boyd. Having shown that capital has accumulated have you evidence that it has accumulated in the hands of occupiers who ought to put it into the land?—No, we have no means of knowing from the joint stock banks how much of it was agricultural.

23019. One other question only. Before 1870 at all events, the tenant was insecure?—Legally, yes.

23020. Now, would you allow that the state of affairs in the period antecedent to 1870 has had a decisive influence upon that disinclination which you allege in Ireland to put capital into the land?—I think it would.

23021. Mr. Kavanagh.—You quoted the deposits in banks as accumulated capital which is not put into the land, but should you not rather call that floating capital which is used by farmers or cattle dealers who deposit one day and take out again and put into the land—would you not call that, rather, floating capital?—I do not think that the bank deposits that I quoted are floating capital. They may be perhaps in a financial sense, but not in regard to agricultural produce. This diagram shows a steady rise and increase, not a fluctuating one. It does not look like being withdrawn and put in again.

23022. You would not call that a permanent deposit account?—We would not, but I think farmers very often do not put their money beyond deposit account. They do not know how to invest it.

23023. Mr Bryce.—But do you say that the fact that the amounts in deposit are continually increased is an evidence that the money is not being put into the land?—No, sir. All I adduce these statistics to show is that there has been a rapid advance in the career of improvement in Ireland, and I do not want to press it further than that.

23024. A rapid advance in the career of improvement?—Yes, certainly.

23025. Does not that look as if the tenants were putting capital into the land?—I do not see it. I did not say agricultural improvement, but merely that the country appears to be accumulating money.

23026. But in England we take that as a sign of greater prosperity when we see the deposits in the banks continually increasing?—That is my argument.

23027. It is a sign of increasing prosperity. It does not mean that capital is not being put into the land. You drew the conclusion that capital is not being put into the land?—I think some of the Commissioners drew that conclusion for me. I have not said so in my evidence. That is not the object with which I have adduced it here. It is simply to show that there has been a rapid advance. But if you ask me the question I do not think that in Ireland the money which is put in joint stock banks on deposit is to a large extent the result of prior money having been invested in the improvement of land.

23028. Well, it shows how difficult it is for two people to draw the same conclusion from the same facts. Have you formed any conclusion as to the parties who make these increased deposits in the banks?—We tried to get a return for that and failed.

23029. Is it general over Ireland—does it apply to agricultural districts as well as others?—I think so.

23030. Then if the farmer is putting money on deposit it must come from somewhere. It may be that agricultural work is doing well?—I think it may.

23031. It must be doing well?—Yes.

23032. And could it be doing well considering that the prices of everything have fallen?—They have not. They have risen.

23033. The prices?—Absolutely; of everything.

23034. Well we have had some complaints?—I cannot help it. I can show it to you.

23035. We have seen great complaints about the prices of store cattle?—I cannot help it. You may be speaking over a very limited period of time. I am taking it over twenty years.

23036. I am a banker myself, and if I found these deposits in the country branches of my bank continually increased I would take it as evidence that the farmers were doing well, that they were improving their cultivation and putting more money in it, and that the rise in their deposits would show that they were making increased profit out of the money which they were investing?—Yes; but two things are being mixed up I think. I thoroughly agree that much of this money may be invested from profits, though I have no means of tracing how much; but I think it is an instance of the remarkable fertility of the soil that with so little improvement they should be able to put so much money into the bank so far as it is derived from agricultural produce.

23037. Are you merely speaking of your own experience of the North of Ireland or from information which you have in regard to Ireland generally?—The statistics have been rather for Ireland generally.

23038. And you are speaking of that?—Yes.

23039. And when you say that you do not believe the majority of the farmers are investing their money and improving their cultivation are you speaking there also of your own experience?—Of my own experience, and from what I find on talking to other men who are in a position to know.

23040. Sir Francis Mowatt.—Is your experience general throughout Ireland or limited?—Well, I have had a good deal of experience in different parts of the country—Kerry, Monaghan, Cavan, Leitrim, Donegal, Londonderry, and Queen's County. I have travelled a good deal through other parts, but I am acquainted with the land question in all these parts.

23041. You have explained that owing to the fertility of the land though men do not put money into it they derive large profits from it?—Yes.

23042. To what do you attribute the increased fertility of the land?—It is attributable to many things. I do not know that I should say so much the fertility of the land as the drainage improvement of the land. It is due to many things. The rise in prices is one which has been very marked. I know, because I farm myself, and I know what land is capable of doing.

23043. And you would not say that the rise in prices was in any way counteracted by the rise in the cost of labour?—Not at all to the same extent.

23044. Mr. Bryce.—Do not the farmers use a great deal more manure now than they did in former years?—They do. Some of them do.

23045. And that means investment, does it not?—That is as far as manure is concerned. I do not mean to say that they do not put any money into the land, but they do not put in near as much as would be required for what we call intensive farming, and they might make it much more profitable if they did. They have not the knowledge to a large extent. I think they would be willing to do it if they had.

23046. Well, I suppose we should all be disposed to agree with that if people were all engaged in intensive farming, land would pay much better?—Yes.

23047. Sir John Colomb.—I want to ask you this about the accumulation of capital by the occupying class. Do you or do you not think that the large price often paid down by one occupier to another for

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his tenancy interest proves that there is a large capital in the hands of the occupiers?—Well, you could not lay down any general principle in connection with sales.

23048. Must it not be the case if we see or read every day of large prices given by one occupier for the interest of another occupier—does it not prove that that occupier must have the capital?—Sometimes it is borrowed.

23049. Then he must have credit?—Yes.

23050. But at all events, to put it no higher than this, is it not contributory evidence to the fact that there is floating capital in the hands of the occupying classes in Ireland?—Yes, I suppose you could put it that way.

23051. Mr. KAVANAGH.—And that it is put into the land?

23052. Sir JOHN COLOMB.—To acquire land, not to improve it.

23053. CHAIRMAN.—I think you told Sir Antony that on the best estates there had been always for many years a sense of security and that the tenants were assured on those estates that their improvements were safe. Was not that so?—Yes.

23054. But I do not quite follow what you mean. After all the Acts of 1870 and 1881 apply to the whole of Ireland generally?—They do, of course. What I meant was this, that on all the large properties that have been in the hands of families fair rules were adopted with reference to the tenants when tenants were recognised, such, for instance, as that there would be a re-valuation of the estate every twenty-one or twenty-five or thirty years, or whatever it was, and that in the meantime, unless a farm deliberately changed hands from one family to another there would be no refixing of rents.

23055. But you are speaking of a time antecedent to the rent-fixing Acts?—Yes, quite so.

23056. Since then the thing has been taken out of the hands of individuals?—Quite so. To pass to the next point, I say that the statutory definition of congestion being based on the average valuation per head and a percentage of population in one electoral division characterises congestion as due solely to agricultural causes, whereas poverty resulting from want of employment, whether agricultural, industrial, or otherwise, is the real cause of distress, and often in more acute form in towns than in rural districts. The areas in which congestion exists have been classified by Mr. Doran as A, B, and C, but in my opinion large areas within the scheduled districts require no such exceptional treatment as proposed, while certain small areas in otherwise good districts require help. Wherever industrial or technical instruction of a practical kind can be given there will be an immediate alleviation in the struggle for existence and an improvement in the habits and self-reliance of the people. Isolated places of so-called congestion are nothing new. Formerly they were common, and in many cases landowners broke up those villages, consolidating the holdings, and put every man living on his amalgamated farm with great advantage to all concerned. Natural forces will if left alone still operate in the direction of the survival of the fittest, whereas the new doctrinaire suggestions aim at a survival of the unfittest and the penalising of the thrifty and provident, wholly contrary to sound economic doctrine. Certain parts of the maritime seaboard certainly contain a dense population of very poor people. Some of them migrate to England, Scotland, and even to America for work and bring back large sums with them and idle most of their time at home, but live in fairly decent residences, and can pay 2s. 6d. a pound for tea. Nothing should be done to check this migratory labour, for it is useful to the individual and the community. Others can earn wages at some of the industrial products now not uncommon in many of the poorer parts. Others earn large sums in places, almost fabulous, from the fishing industry, and this should be helped and extended wherever possible and started where conditions are favourable. But there is a class that require something more, and so far as I can learn the areas inhabited by them are strictly limited. Where migration for labour does not take place to any large extent where they never would migrate inland, but would sooner leave the country, and where the standard of living is distinctly low, the only remedy for such is in my opinion a well-considered and organised scheme of emigration. Such was very successful under the late Mr. Tuke, but statistics show it has greatly fallen off as under.

23057. Then you give us the figures?—The only districts where it exceeded one per cent. of the population were in the congested areas; and there is the percentage given of the migration in 1902.

23057A. You refer to want of employment in towns and other places, but that fact provides no reason why you should not try to alleviate agricultural poverty in the Congested Districts?—Oh, no.

23058. There is, of course, a difference between poverty existing in towns or populous places and poverty existing in agricultural districts?—Oh, certainly.

23059. In your opinion large areas require no such exceptional treatment as is proposed. What exceptional treatment have you in mind?—The proposals put before the Commission by Commissioners Finucane and Bailey, and supported by Mr. Doran's evidence for large migration schemes, requiring a very large outlay of public money.

23060. When you talk of exceptional treatment do you mean only migration?—Migration chiefly. Parts of areas which have been described as very congested did not strike me when I visited them as being at all in that state of poverty that would require the removal of the occupants to other parts of the country.

23061. That is migration?—Yes, that is what I said.

23062. Then we may take it that when you speak of exceptional treatment you do mean migration?—Yes.

23063. You say that wherever industrial or technical instruction of a practical kind can be given there will be immediate alleviation. That strikes me as being a little optimistic. What evidence can you give us of that?—Well, among other things, you will find on page 26 of the last report of the Congested Districts Board that the total receipts of the Board's classes—this applies only to lace and crochet—during the year exceeded all previous records, the earnings of workers, exclusive of sales made to local buyers, being £21,573, notwithstanding that the turnover of many classes was unsatisfactory owing to irregular attendance and want of steady industrial habits. And lower down it says the value of these classes in Congested Districts is illustrated by the fact that the money earned last year by the girls in eight of the lace and crochet classes held in seven electoral divisions in North Mayo considerably exceeded the total poor law valuation of the land in these divisions.

23064. We are all agreed about lace and crochet. There is no doubt that that industry is extremely successful, and has brought in a great deal of money. But you go much wider than that. You say that wherever industrial or technical instruction of a practical kind can be given there will be immediate alleviation in the struggle for existence. I agree that the lace and crochet instance is a very good one, but have you any reason to suppose that all the labours of the new Department with regard to giving technical and industrial education have borne any fruit that we can see to-day?—Oh, certainly.

23065. In what respect?—Take my own county. Since the commencement of the fishing industry £42,000 has been brought into County Donegal from fishing alone.

23066. But would the new Department consider that technical instruction?—I am not referring to the Agricultural Department so much as trying to show what the Congested Districts Board have done in the matter of lace and crochet and other industries. I think the Congested Districts Board has been much more successful in dealing with that matter than the Agricultural Department, although I admit that the latter is doing good work.

23067. If the new Department had been successful in stimulating industries in Ireland by their technical and industrial teaching in Ireland generally one would hope that in course of time the work would be traceable in the Congested Districts, but I see no sign in Ireland that we have derived any great advantage from this technical instruction?—Well, I could not say. There is a difference between improvement and prosperity. Improvement is progress towards prosperity, and when I speak of alleviation I do not suggest that it is going to do everything, but that it would give some relief in the struggle for existence.

23068. You attribute the success of the lace industry in the Congested Districts to technical instruc-

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tion?—Yes, I may be wrong in applying that term to it, but I would say that teaching girls to sprig or anything of that kind was technical instruction given by the Congested Districts Board.

23069. It is a very insecure kind of prosperity?—Well, every little helps.

23070. In Connemara, for instance, they have had to discharge girls and shut up schools because the demand has fallen off very rapidly. There is not a very steady commercial demand. It depends a good deal on fashion?—I think success depends more on the industry and character of the people engaged in the work than on the demand.

23071. I do not think that is so?—Very possibly, but £21,000 is a large amount to be brought into a country in one year from lace and crotchet.

23072. To resume, I do not suppose that you would suggest that all the rearrangements made on Irish property have been for the mutual benefit of the landlord and tenant?—I should say so in regard to the large properties. I would remind the Commission that some few landlords have possibly done what was not right, and have thereby given a bad name to the whole body.

23073. But there have been clearances in the past?—I really do not know the history of the lands of Meath.

23074. You need not go so far east as Meath. There must be cases much nearer the congested centres. Would you deny that a great many grazing tracts to-day have become grazing tracts by clearances of the tenants upon them?—I am inclined to think that a great many were the result of emigration.

23075. But you know of no case where there was compulsory migration of the people from any tract in Ireland in order to create grass land?—I do not deny it, but not to my knowledge.

23076. You never had any proof that it existed?—No.

23077. You have often heard of it?—Yes.

23078. You say that the emigration statistics show that the number of emigrants in the last year or two had been considerably less than it was previously. Have you any reason to believe that that decrease will continue?—Since I compiled this for the Commission I have seen that the return for 1906 shows an increase. I think the figures are 36,000 or 37,000.

23079. You do not wish to lay much stress upon that point?—No. It is a curious fact that the statistics given by the Registrar-General for February last show—I think for the first time—that recently the majority of emigrants have been from the province of Ulster.

23080. Did you know Mr. Tuke?—No, not personally.

23081. You quoted Mr. Tuke as having been a supporter of a movement for emigration?—Yes.

23082. Do you know whether he changed his opinions after the Congested Districts Board was created?—I never heard.

23083. I believe he did?—I do not know.

23084. Sir John Colomb.—You mention that in your opinion there are very considerable areas scheduled as congested that are not really congested?—Yes.

23085. That are not really congested in the sense that they are poverty-stricken?—Yes.

23086. Do you advocate their exclusion from the schedule?—I see no reason for retaining them in it.

23087. You think that judging by the actual economic condition of the people, as you see it, that if these areas are very congested then a great portion of Ireland is congested also?—Yes.

23088. Therefore in your opinion the artificial statutory standard adopted as the measure of congestion in the Act is not a true standard?—Yes, I do not think it is right.

23089. It was based mainly upon valuation?—Yes, and percentage.

23090. Percentage of population and valuation?—Yes.

23091. Do you think that the valuation made by Griffith is really any sound test now except for rating value?—No.

23092. Do you think it is really a fallacious test—except as a relative test for the purpose of rates?—It is a relative value.

23093. Do you think it would be well to carry out migration from these areas which are now scheduled, to areas which are not, and which do not present the ordinary features of poverty?—I think migration might be used with great advantage provided you put on suitable land people who know what they are going to do and how to treat it.

23094. Quite so. And generally, may we conclude that in your opinion it would be better to concentrate the efforts to relieve congestion, the application of public money, and the policy of migration in smaller areas than at present?—Yes, I think the area of the Board should be more limited than at present.

23095. Their efforts should be concentrated over a smaller area?—Well, I think the work of the Congested Districts Board might with great advantage be extended to districts that are not included in the schedule. I think there are areas outside the schedule which require their attention much more than some of those inside.

23096. When you speak of landlords breaking up villages and consolidating holdings, you mean to convey a different impression from that ordinarily conveyed by the word "clearances"?—Oh, quite.

23097. Do you know of any instances of the breaking up of villages?—Yes, on my own estate.

23098. Was there not a certain amount of odium attaching to the landlord?—No. The farmers' houses were all grouped together in one street, and the landlord employed valuers, and each farmer was given an amount of land equivalent in valuation to what he previously held, with a house on his holding. That was done in Loughnagin and Ballymacool.

23099. With great advantage to the tenants?—Yes, and the farms were consolidated.

23100. In this case did you remove the tenants any distance, or was it merely a matter of enlarging and rearranging the holdings?—The holdings were rearranged, and the tenants were removed from the village and each placed on his own holding.

23101. But in no case carrying out migration?—Oh no. It may interest the Board to see these documents (*produces posters*) showing what was done on our own estate in 1840—premiums and that sort of thing offered for agricultural societies and the rules regulating them. I have bundles of these things at home, and I brought some, those for the years 1840, 1844, and 1848. It had a wonderful effect in increasing the knowledge of agriculture among the tenants and causing competition among them. Challenge cups were offered by different members of the society. Mr. Boyd would challenge any member of the society for ten acres of clover and rye grass for 10s. to be shown on the 1st of June, 1845. A member accepts, and during the whole season they grew these crops one against the other. Whatever the amounts were they went into the funds of the society. Again, Mr. Armour challenges any member of the society for one three year old filly for a pound, the money to be given to the society.

23102. Thus encouraging individual energy and enterprise?—Yes.

23103. Is it your opinion that the standard of comfort of the people is steadily rising?—Yes, in my own district. I do not know that there may not be some districts that are exceptional, but, with these exceptions, it has been steadily rising throughout Ireland.

23104. Comparing Ireland now with what it was in 1840, or as it was even twenty years ago, do you consider that the standard of comfort has risen?—Certainly, as a whole.

23105. You have probably noticed, not merely the fact of emigration, but the nature of emigration that is going on?—Yes.

23106. You deplore the fact that it is the young and strong who leave, while the old and infirm and the more useless remain?—Yes.

23107. That is your objection to the present emigration?—Yes.

23108. To what do you attribute the desire of the young men and women to get away?—I should say there are many things influencing them. I suppose it is partly that they desire to go to a country where they think they will make a better living.

23109. Do you think that education and the interchange by letters with those who have gone to other countries, who write home and describe the great advantages and the increased comfort and wages they enjoy have really a great influence in drawing away the young men and women?—It has an influence.

23110. What do you consider the greatest influence?—Well, I think that perhaps the desire to make a better living elsewhere would be the preponderating influence.

23111. Do you think it is the power of attraction exercised by new countries or some inherent factor in Ireland that compels them to leave?—I do not think

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it is from any want of love of their country that they want to leave, but they perhaps think it is not in a very prosperous condition.

23112. Do you think they do a great deal better out of the country than in it?—I think so.

23113. And do you think that, so long as other countries offer better opportunities with transit easy and cheap anything will stop the young and strong and enterprising from leaving the country?—No, possibly not.

23114. Do you take the view that they are "driven" out of Ireland by circumstances existing in Ireland, or that they are attracted out of Ireland by circumstances existing in other countries?—I think both.

23115. What drives them out?—I should think the unsettled state of the country. No experiment is given more than a few years to work before a change comes.

23116. You speak in your memorandum of the emigration of 1883 and 1884, carried out as you say by the late Mr. Tuke?—Yes.

23117. Was it not carried out as a policy by the Government, who voted £150,000 for the purpose of assisting the emigration of whole families?—Yes.

23118. And is it not the case that Boards of Guardians took part in these operations all over the West of Ireland down to Cork and Kerry, and emigrated largely by whole families, and that the great difficulty was the number of applications of whole families desiring to go?—Yes, but for a very limited time.

23119. Did it not last as long as money lasted?—Oh no, £200,000 was voted under the Tramways Act of 1883.

23120. Was there not £50,000, diverted from emigration to migration?—I daresay there was.

23121. And was it not between £133,000 and £143,000 that was actually spent on emigration of whole families?—I have no knowledge.

23122. You cannot give any general information as to the operation of the Act; but only as to a limited area under your own observation?—Yes.

23122A. Not limited areas worked by Mr. Tuke?—Yes.

23123. You speak favourably for the reintroduction of a system of assisted emigration?—In very limited areas.

23124. You would go no further than the suggestion to offer people an alternative to migration in the shape of emigration? You do not think the emigrating of whole families should be taken up as a definite policy?—Well, there are certain areas where I see no other suitable remedy, but they are limited. I refer to places like South Galway, particularly the islands of Gorumna, Lettermullen, and Lettermore. I do not know what could be done for these people except to emigrate them and consolidate the holdings.

23125. You do not push your argument in favour of assisting emigration further than offering an alternative—after you had exhausted every other means?—I should not use compulsory powers, but I should persuade the people to the best of my ability.

23126. When you speak of assisting emigration, you mean assisting to transplant a whole family?—Yes.

23127. Have you ever been brought into contact with emigration of that kind at all in your district?—No; I have not.

23128. I see you mention not merely the question of assisting the people to go who want to go, but the question of settling them abroad?—Yes.

23129. Are you aware that that policy was attempted to be carried out, with the assistance and co-operation of the Canadian Government, in regard to Scotland?—I have not heard of it.

23130. Are you aware that a Select Committee of the House of Commons sat for two years to inquire into its effect, and that that committee found that the operation of transplanting a community and trying to resettle them by outside assistance was not easy?—I am not aware of that.

23131. When you penned that sentence as to the form of emigration and settlement you were not aware of that Committee and of that experiment?—No, but I do not know that it would alter my opinion that the condition of things in these limited districts is very bad.

23132. But you do not come here to advocate as a primary policy assisted emigration from these congested districts? You suggest it merely as an alternative?—In these limited areas I see no other alternative to offer.

23132A. Do you find that migration improves the character and abilities of a man?—Yes.

23133. Do you not think it would be rather a loss to the far west if migratory labour ceased?—Yes.

23134. Do you not think that travelling about in Great Britain has a desirable influence, and that those who do so are in advance of those who never move at all out of Ireland?—I think so.

23134. Do you not think that travelling about has a desirable influence, and that those who do so are in advance of those who never move at all?—I think so.

23135. And that therefore these men are a leavening in the lump of apathy that settles down naturally on a congested and poverty-stricken district?—Yes.

23136. Sir ANTONY MACDONNELL.—As a consequence of Sir John Colomb's last question with regard to migratory labour I would like to ask you this. Would not the result, if you do retain migratory labour in its present position, be to keep the districts from which the labour migrates in their existing condition?—I do not quite understand that.

23137. If migratory labour is continued, would the result be that the districts from which the labour migrates would remain in their existing condition as regards general prosperity and general advancement?—Not necessarily.

23138. From what source would you expect the improvement if the labour leaves?—Well, in the first place, the migratory labour does not mean that every man in the district goes, and for another matter, there is no reason why another remedy might not be applied to that district.

23139. So that you think the continuance of migratory labour is consistent with the progress of the district from which the labour migrates?—Any progress must be very slow, and I would be very sorry to see migratory labour stopped until other ameliorative influences were in operation.

23140. I propose to ask you one or two questions regarding your evidence as to the operations of the Land Purchase Act. First, I notice you say that you would determine or base congestion on want of employment, resulting in chronic poverty, or chronic and intermittent poverty. How would you determine the degree of poverty that would justify you in declaring an area to be congested?—I think it would have to be left to some expert on that subject to decide, such as a Local Government Board inspector, or someone familiar with the conditions of the people.

23141. It would in that case be necessary that the inspection should be frequently repeated, according as there might be applications to insert or remove from the schedule any particular district?—I would prefer seeing a much wider discretion left than has been done by the Act of Parliament. I would wish to see it, instead of extending to electoral divisions, applied to much smaller districts, and I would say that in some cases even a townland was too large—that it should be left to irregular districts without any delineation of boundary. The authority could say that such and such a place should be included in the schedule. I think that would be desirable.

23142. Would your experience lead you to say that a work carried out by the Congested Districts Board in the neighbourhood of a densely congested area—a drainage work or a road work or any work of great improvement—would re-act upon the congested area in a satisfactory manner by giving employment?—Yes, say a drainage work, affecting the character of the soil.

23143. If you were to limit your congested area merely by the question of poverty you might exclude the operations of the Congested Districts Board from such a work as that. You might deprive them of the power of carrying out such a work?—Yes, unless the works are reproductive works there is great danger of merely giving relief work.

23144. I agree with you it is merely a question of improving the condition of the people in the neighbourhood and their means of gaining a livelihood—for instance, drainage work and improving the means of inter-communication. Do you think that you would be able to carry out these works as well under your new principle as under the principle of territorial definition?—Yes, I think so, because there is so much land capable of improvement and capable of work

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being done to it that it would be very difficult to fix on any scheduled area that would not admit of large works being done.

23145. Most Rev. Dr. O'Donnell.—You stated that the lace industry as developed by the Congested Districts Board gave a great deal of useful employment?—Yes.

23146. Apart from the seaboard—if we except the land—it is rather difficult to suggest an employment for men?—Yes.

23147. I think you will come to that later on in the day?—Yes.

23148. Now, speaking of emigration, you deplore the class of emigration that has gone on?—Yes.

23149. You seem to advocate, right away, emigration in families from such a district as Gorumna?—Yes

23150. Did this occur to you? Would your emigrants land in America or Canada?—Well, I knew more about Canada from having read reports about it That is the reason I mentioned it.

23151. Would it appear to you that the people of Gorumna or Lettermore could not by any means have the opportunity of acquiring the class of agricultural training that would enable them to be placed to advantage on good land?—I think they would have to go as labourers before they could hope successfully to till land themselves. Our own sons have to do that when they emigrate to Canada They have to go as apprentices to farmers before they can hope to run farms on their own account. I do not see why the peasant class should not do the same.

23152 If there were employment for them in Ireland, would it not be much more desirable?—Yes.

23153 Would not it be a very slow process to enable those people in a distant country to make a living out of land?—I do not think it would be so slow as at home There is a greater spur and incentive to labour abroad than there is in this country.

23154. You have been in Canada?—In Canada, no.

23155. But you have been in those districts we speak about?—Yes.

23156. You would not consider that the people who live in those districts could have for several years the class of training that is necessary to work good land?—Certainly not.

23157. Hence, there would be a hiatus in the remedy of emigration for these people?—They could start at labour which is the apprenticeship to ownership.

23158. But they do not know anything about the tillage of the soil?—I do not think so.

23159. How could they really be taken on at good wages in Canada?—They could work They could put their hands to work if taught how to do it.

23160. But would you, on the other hand, not make a very great difference between a labourer who had been trained to farming and one who was a novice?—Yes.

23161. You appreciate that as a difficulty?—Certainly.

23162. And you would exhaust every remedy before thinking of emigration?—Yes, but I think it would be more likely to be successful by the family than migration by the family to inland districts.

23163. We have heard of the want of acquaintance with tillage along the coast. Witnesses who came forward, and who knew a great deal about the coast, held out hopes to the Commission that by the development of the fisheries employment could be had for these people. Would you consider that to be the best remedy of all?—I think that would be the best remedy of all.

23164. I wish to have your views fully developed. You said you did not know of any wholesale clearances Now, I will bring under your notice a particular case?—Before your Lordship goes further, may I say this. The question I was asked was whether I knew of clearances effected for the purpose of making grass ranches. That is what I answered when I said "No."

23165. There was a clearance with which I need not say you had no connection, and with which the present excellent landlady had no connection, but would you say that the Glenveigh evictions were deplorable?—They were unavoidable.

23166 But the tenants were not in arrear?—I do not know the circumstances as to rents.

23167. I think you would consider they were deplorable?—Oh, yes, they were very unfortunate.

23168. Sir Francis Mowatt.—I am afraid I did not catch that. You cited a case in which the tenants were not in arrear, but in which they were evicted for the purpose of re-arranging their holdings?—No. Dr. O'Donnell has referred to the Glenveigh evictions in the County Donegal. The late John George Adair owned that property, and there had been a good many outrages both on sheep and on employees in his services, finally culminating in a murder. He was a man with a hot temper and a strong character, and he had reason to believe that the people of a certain district on his property knew who the murderer was. The evidence went to show that he retreated to that part, and Mr. Adair said that if they did not give him up within a certain time he would turn them all out. I need not say, they did not give him up, and he turned them all out.

23169. Most Rev. Dr. O'Donnell.—It will be in your recollection that the clergymen of all denominations and the local magistrates and landowners of all denominations deplored the act?—Yes. I am sure they did.

23170. Mr. Bryce.—That was a long time ago—in 1861, I think?—No. I think it was before that. I forget the exact date, but it was certainly before that.

Sir John Colomb.—About fifty years ago, I think.

23171. Most Rev. Dr. O'Donnell.—The neighbouring landowners and magistrates all gave an excellent character to the people who were supposed to be culprits?—I could not say that, but I know that the foreman of the jury, when one of them was tried, got a silver watch as a present when the jury disagreed.

Chairman.—I do not like to interrupt these county reminiscences, but I do not think they have got much to do with the inquiry.

23172. Most Rev. Dr. O'Donnell.—I was only going to ask you one other matter, whether the cost of living among the people has not gone up very considerably?—Yes, I think it has.

23173. The introduction of tea?—Yes, tea and tobacco. It is a pity that tea and white bread are so much used

23174. Mr. Kavanagh.—You say there are certain districts in the congested areas which you do not think need exceptional treatment, and that there are others outside which do?—Yes.

23175. Have you ever considered an alteration in the definition of congestion?—Well, merely so far as I have mentioned in the body of my evidence—that I think agricultural or decaying industry, if there was poverty arising from want of employment (either agricultural or industrial), attention should be paid to it wherever found rather than that a hard and fast line should be drawn, fixed on mere valuation.

23176. Something like what the Scotch Board have. They have no definition. They are left to their discretion. Would you approve of that in Ireland?—I would, especially in districts that are purely agricultural

23177. Mr. Bryce.—You said there were several parts outside the present scheduled areas which you consider require more attention than certain parts within them?—Yes.

23178. Could you favour the Commission with any names as regards those areas that want more attention?—Well, I am afraid hardly sufficient to be of any use to the Commission. I know cases where the Congested Districts Board stretched a point, and made the most valuable improvement outside their boundary, and it has been an enormous benefit to the people. It is little cases of that kind that have come before my notice, and I also know isolated townlands of great poverty that cannot be scheduled on account of their being in an electoral division, which otherwise is comfortably off. But I do not think I can give you any general information that would be of much use.

23179. In answer to one question, I think from Sir Antony MacDonnell, you said that you did not consider that any alteration in the nature of the migratory labour would make much difference in the condition of the areas in which it at present exists?—Yes.

23180. But you say at the same time in your evidence, as set out in your memorandum, that these migratory labourers when they are at home are idle?—I am afraid that is true. They do nothing.

23181. You mean they do not do even the necessary work?—The migration is largely from the districts

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where the land is very poor. They let the women do the work.

23182. When they come back themselves they do not touch the ground?—Very few of them. I spoke to a few of them once, and they said that working for nine months of the year was hard enough—that three months of the year was little enough to take it easy. I asked them about spraying the potatoes, and they said the women knew how to spray the potatoes as well as they did. Then they would be away on the other side.

23183. The time they are away is just the time the work has to be done on the farm?—Yes. They generally come back with £10 or £12 in their pockets.

23184. Sir ANTONY MACDONNELL.—Would the moral effect be greater of labouring on their own farms. Would their character for industry be more if they remained at home and did not go away for higher wages?—I hardly think so. Abroad they labour under compulsion; at home they do not, nor would not. They have to when they are abroad.

23185. Do you not think that the magic of property would have some influence?—It would take a long time to work I am afraid.

23186. Mr. BRYCE.—With regard to the emigration you propose, you look upon that as a regrettable necessity?—Quite.

23187. You do not want it to be supposed otherwise?—The remedy is only in my mind in that way.

23188. We had evidence some little time ago by a gentleman connected with the Irish Agricultural Department who said he thought the only idea of the Irish peasant was to escape and get away from the land—that there is nobody wanting to stay. He attributed their going to America and so on to their dislike of working on the land—at least that was the statement with which he started?—They have a great dislike to work, but I do not think they dislike the land. They look upon the land as the easiest way of earning a living without work. That is the desire, I know.

23189. He was speaking of the desire of the young men who could not succeed to the property, and he said he thought their sole desire was to get away?—That might be. Men who would have to be labourers in this country would prefer to get out of it. I can believe that.

23190. But if the conditions of labour would improve, they would have no objection to remain on the land *per se*?—Yes.

23191. Would they not rather labour on the land than do anything else, considering their fondness for their country and their own place?—I think, possibly, but I would not be at all sure. They do not like labouring in Ireland.

23192. I have only one other observation, and that is that I think the Chairman rather misunderstood a little a sentence in your memorandum. You mean by your reference to industrial and technical instruction that you would also include teaching improved methods of agriculture?—Oh, yes, all sorts of technical education.

23193. And wherever that is being done by the Congested Districts Board there has been an improvement, and, as you say, an immediate benefit?—A marked benefit.

23194. I should have thought myself that you were not too optimistic. It appears to me that wherever there has been any really good and efficient instruction given, either in regard to these home industries, such as lace-making, or agricultural industries, or bee-keeping, or fisheries, or anything else, that there always has been an immediate improvement?—I quite think so. The people are remarkably intelligent and willing to learn.

23195. Sir FRANCIS MOWATT.—I gather from the evidence you have given us that towards improving the state of affairs in Ireland your several steps would be—first, assisted emigration from certain limited districts; second, the migration of suitable tenants to better land, where they had intelligence enough to work it; and, third, technical education wherever possible, or wherever it existed, or wherever there was a demand for it?—Yes.

23196. Do you conceive that there are enough industries for which technical education would fit the people to meet all the demand for employment, except the employment on the land; that is to say, if the technical education was fully developed would you look to that as being sufficient to provide work, and paying work, for the agricultural population of Ireland?—I think it would be a very large assistance. Until it was fully developed I think it would be difficult to estimate whether it would do it completely or not, but it would give very large assistance.

23197. You have expressed, I would say, a very pessimistic view as to the willingness of the Irish to work, and said how very unwilling they were to work. How do you explain their migrating for nine months of the year if they have such a disposition not to labour more than they can help. What makes a man go off to England with a prospect of nine months hard work, when his leading characteristic is that he does not desire to work at all?—I am afraid in those districts it is the only way they have of supplementing their living.

23198. That is to say that when they see their way to make a living that overcomes the indisposition to work?—Yes. When you are on that subject of work would you allow me to read—

23199. Just this one question. You say that natural forces if left alone would operate in the direction of the survival of the fittest, whereas the new doctrinaire suggestions would lead to the survival of the unfittest. If natural forces are left alone, and if, as you say, the result of their action is very slow, the fittest may survive in this sense that the unfittest will die, and that the fittest will only survive in a shattered and weakened condition?—Well, in the idea of the survival of the fittest it is the best of the fittest who survive.

23200. Yes, but it will be in a shattered and battered condition. If they survive in the face of indifferent food and clothing and general insufficiency of nutriment, it will only be in that way?—Oh, yes, one would wish to see them in a much better position.

23201. Is not the result then that although the fittest survives he comes back to the condition of the unfittest, or half-unfit, who would always require help?—I do not mean to argue on that to prevent you from giving any such assistance as could be done, provided it is given on an economic basis.

23202. You have said that by emigration of families to Canada or the United States you contemplate that the working members of the family must necessarily commence as ordinary labourers—some of them, of course, as unskilled labourers?—Yes.

23203. That might answer very well for what you have described as the fittest, but for the older members of the family and the women, how do you expect them to get on during the years when the fittest gradually adapt themselves to making their own livelihood?—Well, the fittest would be earning wages more than they would be earning in this country, and they would be better able to support the others.

23204. But is it not the essence of labour that it gets immediately scattered. One son has to go up the country, and another son gets over the line into the United States, and the children and the old people are not so well off then as they would be in Ireland. Is not that so?—Yes, but in the districts I mean they could hardly be worse off anywhere. It is a desperate remedy for a desperate disease. It struck me often that from Clifden along the south coast of Galway, through Spiddle to the town of Galway—if I may say so without offence—was a standing reproach both to the Congested Districts Board and the Agricultural Department. I have seen a great deal of excellent work done by both Boards, and especially by the Congested Districts Board in other districts, but that is a standing reproach.

23205. A reproach to them in what way?—In not having done work there. In not having taken the worst first.

23206. Emigration would not be a desperate remedy if it was in the power of the Congested Districts Board to solve the problem which you say that they have not solved?—It is in their power to emigrate. They have it by statute.

23207. You mean it is a reproach to the Congested Districts Board that they have not emigrated?—Yes, that they have not done more in that district. I know that something has been done in schools. The condition of Gorumna, Lettermullen, and Lettermore is fearful in my opinion from its poverty, and I think a good deal might be done to aid both the fishing industry there, and also the turf industry. The southern part of these islands has been denuded of

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turf. The turf bogs exist further back, and if they could be brought into connection with them by tramways such as they use in Germany, America and other places, the turf could be brought to the sea shore, and a good trade could and ought to be developed on this coast across the Bay to Clare.

23208. Sir ANTONY MACDONNELL.—Of course that postulates the possession of money?—Well, the Congested Districts Board have money for that class of work.

23209. Well, that is the reason we are assembled here to-day—it is because they have not any money?—Well, they ought to have it.

23210. If you put it that they ought to have it, I agree with you?—They have done work in making a pier at Costello, but there is another one wanted, because there were more luggers lying at that pier when I was there than it could accommodate, for shipping turf, anyway they badly wanted more accommodation A great deal of improvement has been made on those three islands by the construction of a causeway that connects with the mainland. I think that was brought about when Mr. Balfour was Chief Secretary. That has been of great assistance.

23211. CHAIRMAN.—I think you told Sir John Colomb that you were in favour of some arrangement by which areas outside the scheduled districts should be included in the operations of the Board?—Yes

23212. And you thought that the unit of an electoral districts was somewhat too large, and that even a townland would sometimes be too large?—Yes.

23213. And that you would be inclined to leave it to some authority to decide, without restricting them to any particular unit?—Yes.

23214. Don't you think that they would, of course, have to have some definition?—I suppose so, either in their own mind, or by regulation or rule.

23215. Otherwise they would be besieged by individuals all over Ireland. Every individual would want to be scheduled as in a congested district?—Yes.

23216. So that I should have thought it might be just as well to make some definition without leaving it absolute?—I think so. If it could be framed, it would be very desirable.

23217. And if that definition lay between the townland and the electoral district, I conclude you would rather lean towards the side of the townland?—Yes.

23218. Would you suggest that this authority should have the power of excluding as well as including?—Yes. There was a power under the original Act, but it lasted for only one year.

23219. You would like to have power to exclude after the work has been done?—Yes, and any districts that are in the schedule, where it is not considered necessary to keep them in I know districts in my own county that have no call to be in the schedule, when there are these districts requiring more urgent attention.

23220. With regard to your opinion about these migratory labourers being idle during the time they are in Ireland, they are, I suppose, very small proprietors or holders?—Yes.

23221. Or else the relatives of small proprietors?—Yes.

33222. Then the agriculture that has to be done on these little holdings is extremely limited?—Yes.

23223. What would be the area under potatoes and so on?—It depends on the part of Ireland.

23224. Take a little holding down in Mayo, say on Achill, which sends out large numbers of migratory labourers?—It might not amount to more than a few lazy beds of potatoes.

23225 And I suppose a little oats or barley?—Very little in the migratory districts in Mayo.

23226. Do you not generally see a little barley or oats?—Very little on the maritime border, but in Ulster you will see a good deal.

23227 You say these people work for nine months. What are the three months that they are at home?—Well, they are at home for three of the winter months. Soon now they will be going out—next month.

23228. The three months they are there are November, December, and January?—I think it varies in different districts. Sometimes they do not go out until harvest time, and some do not go out for more than three or four months in the whole year. Others go for the whole nine months.

23229. Speaking generally, the winter months are the months they would be at home?—Yes.

23229A. November, December, January, February, and March?—Yes.

23230 Even if they were hard-working people what could they do in the winter on the holding?—These are the months for draining the land.

23231 Is draining always necessary every year on one of those holdings?—Most of those holdings in the district we are speaking of require draining. They are absolutely waterlogged.

23232. Is there anything else that they could do?—Draining would be the first essential to a crop on the land. After that, of course, the winter work of an ordinary farm consists in the repairing of fences and in keeping everything right.

23233. Those fences are stone walls?—In parts they are. There are sod fences in other parts

23234. Do you not think the fact that they do not do very much work during the winter months is due to the conditions of their industry much more than to a disinclination to do work?—I do not, because I have spoken to the men at a place called Dohooma, which is said to be very congested. I spoke to a man there about draining land, and pointed out that the land was waterlogged, and he made excuses and said a neighbour would not let him drain through his land and that kind of thing. The Congested Districts Board have given a little assistance to outdoor work there, and they have done something in regard to fencing in that district, which has had a good effect, but nothing has been done in regard to drainage, which is the essential work which ought to be carried on in the country.

23235 Drainage and the repair of fences they could do in the winter months. Anything else?—In that district they could have fishing.

23236. That, of course, is outside their own holding. I was talking about their own holding?—Yes.

23237. Sir FRANCIS MOWATT.—You said that the man you inquired of told you they did not drain because the neighbours would not allow them, but a little earlier you told us they said that after nine months they thought they might fairly have three months' holiday?—Yes. It was not the same individual who told me that. It was told me by another of the migratory labourers. There can be no question about them not being good workers, and in order to give this Commission every information the Executive Committee of the Irish Landowners' Convention circulated certain questions and asked for replies. The questions were—(1) If new holdings are given to tenants how are they likely to use them? What tillage crops could be grown? What profits made thereon? How could the produce be disposed of? (2) If any industry has been started in your neighbourhood has such industry prospered, and has it improved the condition of the people? The replies which have been so far received include one from a resident landed proprietor in the County Galway:—"They would till as small a portion as possible, merely sufficient for their own requirements. There would be very little, if any, produce to be disposed of except the cattle and sheep the farm could carry." Another reply was:—"There is absolutely no industry of any kind started or in being in this neighbourhood. Even the cottage industries of years gone by are dead. The people have become very lazy. They have been steadily turning their land into pasture because it is easier to raise and dispose of sheep and cattle than to raise oats. An enormous amount of land is wasted, and the tilling is of the worst. The dung pit is neglected, and they rely far too much on artificial manures. The whole business of the country is a gigantic system of credit; the gombeen-man is dead, but the shopkeeper lives and so do the banks."

23238 CHAIRMAN.—That has got nothing to do with the point. This contemplates a state of things where a man lives on his holding all the year round?—It shows the laziness of the people.

23239 CHAIRMAN.—I do not think it does. The thing is perfectly different, because even taking it that the man was taking a holiday, as you have told us in the one case, that does not prove the general laziness all the year round. Even you have only gone so far as to say that he is lazy for three months of the year. The two things are quite distinct.

Sir FRANCIS MOWATT.—You quoted that as establishing the general idleness and laziness of the people?—I do not want to rub it in, but it is so. Great evil has arisen from cowardice in refusing to face facts.

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23240. Would you characterise the people in the West of Ireland as lazy people?—Absolutely. I was amazed to see the condition of agricultural knowledge in the West. I mean the state of the country and the state of the farms.

23241. Whether the men to the best of their ability worked on their land?—This present agricultural condition is the result of the neglect of their farms.

23242. Most Rev. Dr. O'Donnell.—You are speaking only of that very western part, and the condition of Connemara, and not of the Dillon property. In that district they are an industrious people?—I have been there, but that is a much better class of land.

23243. When you speak of that indisposition to work you limit your observations very largely to the district where through circumstances a listless condition has been imposed upon the people?—It is aggravated there, but I am afraid it is a natural characteristic.

23244. From your observation on the Dillon estate would you gather that the people there displayed more energy than you observed in Ulster?—I would not. The energy exhibited in Ulster seems to me to be more than in any other part of Ireland.

23245. Sir Antony MacDonnell.—Land is better in Ulster?—I say the industry of the people is more marked, and I refer to the industry of the people in the poorer parts of Donegal, for instance.

23246. Most Rev. Dr. O'Donnell.—The reason I asked about the Dillon estate was this. In that district it would seem that during the winter the men who migrate for agricultural labour work vigorously, particularly now that there is a greater inducement to work?—I am glad to hear it. I have no experience of that. I saw in passing through the Dillon district better farming than parts of North Mayo and West Mayo.

23247. Chairman.—You characterise these people as lazy people generally. I suppose you would agree that upon those holdings which have been reclaimed from the bog there is always a tendency to revert to bog unless considerable labour is done on them?—There is that tendency.

23248. Do you not think the fact that the West of Ireland people are able to do so well with that class of holding and to prevent it from turning into bog is itself strong evidence that they are not lazy?—No, because the land I refer to in Mayo was bog originally but they cut it so low that they have left no bog. The land broken in from mountain land, and which has become agricultural land, in Donegal is much better cultivated by the people there than similar land in Mayo.

23249. Some of these holdings are actually carved out of the bog, are they not?—Do you mean on originally heather land?

23250. Yes. Heather land that is not reclaimed?—It is dug and soil put upon it, and a potato crop is taken off.

23251. Can you grow potatoes in it?—Indeed you can with lime.

23252. In the actual peat itself?—Yes, treated with lime.

23253. When it gets into a condition that it will grow grass it has to be continually watched or the peat will come through again?—Yes. It has to be cultivated or heather will spring up, and very often, as you will see, lots of farms are going back to nature.

23254. That is where the land has been neglected, but lots of farms are not going back to nature, and a man is able to cultivate his holding against the adverse condition of the bog?—Yes, but he might improve it a great deal more with more labour and more knowledge.

23255. You told Mr. Bryce, in speaking of industrial and technical instruction, that you included instruction in fisheries and in agriculture. Supposing for a moment you divided industrial and technical instruction into its three natural heads, and you put agriculture and fisheries and industrial education separate. Will you tell me of any case you can recollect, except the lace and crochet, where industrial technical instruction in congested districts has led to the formation of home industries?—Of course there are carpet factories.

23256. There was no instruction in carpet making before the carpet factories arrived. The carpet factories are not the outcome of the technical instruction?—No. I do not know about the woollen factory at Foxford. That, I think, is a native product, and is doing very well, and gives employment to a number of hands.

23257. Do you suggest the Foxford factory is the result of technical instruction?—I am not aware.

23258. It is run by the nuns with assistance from the Congested Districts Board, and employs local labour. In that sense it is local, of course, but I do not think there had been any previous instruction. The people in the locality were not educated up to a point when the industry suddenly blossomed into existence?—No. I do not think that has ever been the case.

23259. You say "Where industrial education of a practical kind is given." I understand what you mean is that where industrial education of a practical kind is given it has such an immediate effect upon the industrial habits of the people that an industry suddenly springs up?—What I meant to convey was that where industrial instruction was given it resulted in wages being earned, and that would be a relief to the families struggling for an existence.

23260. Where an industry is started which pays wages?—Yes. Take my own district. The shirt factories of Derry work all through Donegal. Large sums are earned by the girls working in their own homes for the shirt factories. In my own case, in my gate lodge there is a very respectable man living there, and his daughters are working at what is called sprigging, doing corners on handkerchiefs of a cheap class. These girls earn very fair wages. All these things are very useful in the country, and the more industrial instruction of that kind the more, I think, will be the alleviation of the existing condition of strain. That was what I wished to convey.

23261. Do you not think there is a great deal in the argument, I do not say it is a sound one, that the result of industrial education in these districts will be much more likely to lead them to go and seek employment where it already exists, fitted as they will be for that employment, than that it would lead to the creation of industries in the locality itself?—These industries are generally among the females. I do not think they have that desire to get away from the home, but even if they did I would not say it would be an unmixed evil, because the emigrants from Ireland sent back £17,000,000 in a period of twenty years, which helped those at home to live and keep large families.

23262. I do not mean to say for one moment you ought not to give technical instruction. You are bound to educate the people as well as you can, but I am only doubting whether the result of that technical instruction will have the effect you seem to contemplate, namely, the promotion of industrial life in the poorer areas?—But even if it relieved people in the districts of the support of certain members of the family not previously able to shift for themselves, that in itself would be a relief.

23263. Sir John Colomb.—Do you wish to modify your phrase that the Irish people are a "lazy" people? Would you rather say they are lethargic?—No. I do not say I would.

23264. I understood you to apply the phrase to Ulster?—They are less so there. I think climate has something to do with it.

23265. Do the women cook better in Ulster. Are the men better fed, do you think?—I could hardly say.

23266. You have not formed any opinion of your own as to the effect of climate and feeding?—Well, I have my own opinion. I think we find in all the northern climates that there is a strength of character and stiffness of backbone you do not find existing in the south. That even applies in a certain extent to such a small country as Ireland. In Ireland the working class do not know how to utilise what is utilised in England, and it is a great pity they do not receive instruction in that direction. There are plenty of parts of animals which are simply thrown away or given away in Ireland that cost fourpence or fivepence a pound in England. Tripe is never used in Ireland. In our village there is a permanent staff of artillery. The wives of those men know the value of the tripe and other parts, but the Irish people do not understand it. That is only one instance. There are numbers of others.

23267. Have you never noticed that those generally indolent will in an emergency or in anything new display an extraordinary energy?—Yes.

23268. But it does not last?—No.

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Mr. W. E. Boyd.

23269. Sir ANTONY MACDONNELL.—I am not going to discuss questions as to racial characteristics, because each person has his answer to that according to his political predilections. I want to ask you a question as to drainage. You say the Irish peasant in the West of Ireland—the labourers who return from England—do not drain their farms. Is it possible to drain a farm unless there be a main drainage, to which the smaller drains lead?—In many cases they cannot make a main drain very easily.

23270. Is it possible to drain a small farm unless you have a main drain into which the small holdings can be drained?—It is almost impossible to answer that question without misleading. There are cases in which I can conceive it would be quite possible and many cases where it would be impossible.

23271. You must have an outfall?—Yes, and lower level of the drain

23272. Where a natural outfall does not exist you have to create an artificial one?—Yes.

23273. And it is sometimes extremely difficult even for a landlord who is supposed to have the control over a large number of farms to create a main drain?—Yes.

23274 In view of the process of the transference of land from landlord to tenant, is it not extremely difficult to get those tenants to agree to the construction of a main drain?—Very.

23275 So that the tenant who comes back after migration has to depend upon the goodwill of a number of people to enable him to drain his farm?—Very often.

23276. They may not be quite willing for the construction of a main drain?—Yes.

23277. And it very often happens a main drain is not constructed at all?—Yes.

23278. Where it is not constructed drainage of the farm is impossible?—Yes

23279. That is an explanation of how drainage is not always practicable for a tenant who comes back from England. Knowing, as you do, what the land has hitherto been regarding drainage, do you think it is desirable that the law should be altered and that the construction of main drains should be taken out of the hands of the local landlord Boards which used to be formed and placed in the hands of some public Department?—Yes, if it was a proper public Department adapted for that kind of thing it would be very useful.

23280. Would you have that public Department general for Ireland or local?—You are asking me about a question I have not considered.

23281. I do not wish to press you upon it, but I would ask you to consider it later, because it is an important matter?—With pleasure. I think it is a very important matter.*

23282. Most Rev. Dr. O'DONNELL.—You stated in one of the paragraphs that a good deal has been done by technical instruction, and the Chairman questioned you as to Foxford. Is it not really through industrial or technical education that Foxford has been made possible?—So I understand.

23283. Perhaps you are aware that the action of the Board in regard to Foxford took the form of a capitation grant to the girls for three years. That was the form of the grant?—Yes.

23284 Would that not seem to lead to the conclusion that in the poor areas it is possible through technical and industrial instruction to start industries that will give remunerative employment?—I think so.

23285. CHAIRMAN.—The next paragraph says:—These facts are instructive. Sir Horace Plunkett advocated emigration to Canada after a full consideration of the subject, and an intimate knowledge of both countries Numerous grants of money have been voted by Parliament under Tramway and other Acts (£200,000 under the Tramways Act, 1883) for this purpose, but it remains a dead letter. If suitable authorities organised colonising, such as took place after the Famine time, and sent a shipload of peasants in charge of one of their clergymen, to farms and lands previously provided for them in Canada, it is the only solution for certain relatively small areas of great poverty. I am informed that about Melbourne to this day Irish emigrants are grateful to the British Empire for having sent them out at the time of the Famine. Emigration is the method adopted oftentimes by the families of the better class, and proves most successful; why should those in want be prevented adopting it also? Certain districts get on fairly well except for the recurring danger of potato failure. This could be much mitigated by a liberal supply of new seed, to be exchanged for an equal quantity of their own growing. You say that Sir Horace Plunkett advocated emigration after full consideration of the subject. I do not think that was quite the case. Sir Horace Plunkett was asked when the Board was created to report on the possibilities in Canada, where he happened to be going on private business, and he signed a report which is embodied in the first Report of the Congested Districts Board, showing the opportunities which existed in Canada for emigration, but I do not think it is fair to say Sir Horace Plunkett advocated emigration?—I did not mean to put it further than that report. It is the report I refer to.

23286. As regards your remarks concerning the Tramways Acts and the Act of 1882, that "it remains a dead letter," you are aware that the clause was repealed in the Act of 1891?—Yes, and the money transferred.

23287. But two-thirds of the money was already spent?—I was not aware so much of it had been spent.

23288. The sum, I think, was divided in this way. As far as I remember, of the £200,000 £150,000 was for the purposes of emigration and £50,000 for the purposes of migration. Of the £150,000 about £130,000 had been expended, but nothing had been expended towards migration, so that there was very little to transfer. I do not know if it was transferred, but there is not much dead letter about that. Over £130,000 out of £150,000 was expended before the clauses were repealed in 1891?—I thought a larger sum was available than what you mention.

23289. Sir JOHN COLOMB.—I do not exactly understand your recommendation about a liberal supply of new seed to be exchanged for an equal quantity of their own growing. Why do you say exchanged, instead of bought or supplied?—Merely for the reason that I do not think that they could afford to pay for it in the districts I refer to, and if you give a free grant it is never valued so much as if they were made to give something in exchange for the new seed. It would have a better moral effect, I think. It would I think, be better than making a free dole if you made them give what value they could for it.

23290. As regards settlement on land in the Colonies, is it within your knowledge that in Australia, Canada, and elsewhere, Irish people who emigrate do not as a rule go on the land?—I believe that is true.

23291. It is peculiar that whereas the Germans and Scandinavians push on to the country, the Irishman sticks to the towns and will not go on the land?—Yes.

23292. Mr. BRYCE.—With regard to your suggestion about sending out a shipload of peasants in charge of a clergyman to farms previously prepared in Canada, your suggestion applies to the poorest parts, such as the southern part of Galway and Connemara. Would you not modify that statement now after your answer to the Chairman, when I think you said it would require several years of education before the people from these regions would be fit to cultivate the land profitably?—I think I also added that I still thought they would do better by emigrating than by migrating in Ireland.

23293. How do you think they would get on for the first two years?—By labour.

23294. On farms provided for them?—Yes.

23295. That would not be labour?—Labour of some sort.

23296. That would be cultivating lands of their own, whereas the labour you meant was labour in the service of existing farmers?—I have not gone into any regular programme for it. I merely throw out the suggestion as one worthy of consideration by experts, who would be better judges than I of any schemes.

23297. CHAIRMAN.—You go on to deal with migrants to inland districts?—Yes. As regards migrants to inland districts, it is a fallacy to suppose that levelling up to a £10 valuation will remove distress, unless men are first trained to industrious habits and knowledge of modern farming methods. The want of ordinary agricultural knowledge seen through the congested areas is very marked. Improvement in this direction must be necessarily slow.

23298 Sir ANTONY MACDONNELL.—Before you pass on I should like to know how you propose to give them this knowledge which is to fit them for the cultivation

* See p. 239

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of the £10 holdings—how are they to get it?—I should think that different methods might be adopted. That is perhaps more for the Commission to say.

23299. Would you give an indication, for instance, of one scheme that is in your mind?—I think that both the Agricultural Department and the Congested Districts Board are doing good work in that direction If that was continued and extended and improved in some particulars I think it would be very useful.

23300. Yes, but I understand what the Congested Districts Board have done while dealing with agriculture was to help the people in possession of this land with good seed and better appliances and so forth. That is to say, they were in possession of the land before these educative processes could take effect. Would you keep a person upon a five-acre holding—that is to say, an uneconomic holding from which he could not support his family, until he had satisfied you that he was efficient for the purposes of a larger holding?—I would certainly like to see him improved a little any way before I put him in a larger holding.

23301. Do you not think that the educative process might go on with greater effect if you put him into a larger holding?—No, because a larger holding would lead to greater facilities for deriving more profit with less work.

23302. That is to say, the men who cultivate five-acre holdings would continue to cultivate five acres after getting the fifteen-acre holdings, and let the remainder of the fifteen acres remain in grass?—You are assuming that they are cultivating the five acres already?

23303. Assume that for the sake of argument?—Then in that case they would continue to cultivate that amount probably and let the remainder go into grass.

23304 They would not cultivate more than they are in the habit of doing?—They would not.

23305. Although perfectly certain that they would get a larger profit if they did cultivate more?—They might doubt that.

23306. Do you think it is reasonable that they would doubt it?—I do. I am quite sure they would. Mr. Finucane refers to the condition of agriculture in Belgium as proof that the same results may be obtained in Ireland, and Belgium is often by others held up as a model of what Ireland might be. But there is another side to the picture. Only one-fourth of the inhabitants of Belgium are agriculturists, and this one-fourth includes all female farm servants over 12 years of age. A large proportion of the inhabitants live underground in the coal and iron mines with which Belgium abounds. The example of France again is constantly obtruded on the English public as suggesting an expedient for the regeneration of Ireland. The following is the opinion of a distinguished Frenchman, M. de Molinari, a scientific economist, who has devoted special attention to industrial and agricultural questions, and being a Belgian by birth is especially familiar with that system of small holdings which has been so often recommended as a remedy for Irish discontent. The letters from which the following extracts have been translated originally appeared in the *Journal des Debats*, during August and September, 1880, and they contain the deliberate conclusion of M. de Molinari on the subject of the Irish crisis, after a personal visit to Ireland. He declares:—"The general rate of the rents is moderate," and "for the same quality of land it is one-half lower than the rate of the rents in Flanders." On the subject of peasant proprietorship, he says:—"Examples in support of this view are not wanting. In particular, the case of the peasant proprietor of France and Belgium is quoted. The advocates of the system, however, fail to add that the sub-division of property in France and Belgium has been the work of centuries, and that the peasantry, before becoming proprietors, acquired those qualities of order and economy which are indispensable to the good administration of property. They worked and saved, sou by sou, the capital which they employed, first to acquire and afterwards to extend their little possessions. Nothing of that kind is sought in Ireland of the Irish tenants. It is proposed in their case to do away with the apprenticeship to property. . . . the worst result of this artificial combination will be to reduce agrarian pauperism in Ireland to a system . . . Small farmers, where the soil is cultivated in the old fashion, are to modern agriculture what the handloom is to modern weaving, and do not these philanthropists who desire to attach the tenant to small holdings by offering the bait of proprietorship practically bar the path to progress?" This eminent and impartial observer further holds, that "all that is required for the evolution of the result which the force of circumstances is working out is that nature should be allowed to take her course," and that all that Government should aspire to do is to assist nature by well-devised schemes of emigration. He concludes by saying:—"Ireland—and this is the final conclusion at which I have arrived—suffers not only from her disorders, but also from her doctors." In other words, Ireland has as much to fear from her political quacks as from her political disorders. These letters will repay careful perusal. If in this connection it be concluded that every man, woman, and child born on Irish soil has a right to remain there, I am not concerned to dispute this, but what I do deny and protest against is the proposition that those who, in despite of natural and economic laws, persist in remaining where they affirm that they cannot live, have a right to set up a claim antagonistic to the interests of the rest of the community.

23307. CHAIRMAN.—When you say that farms of £10 valuation will not lead to greater prosperity because of the lack of knowledge of farming methods, does it not strike you that perhaps some of the want of success that is to be found on these farms is due not so much to the inefficiency of the farmers as to the inherently bad condition of the land?—In this case I am rather acting on the assumption that the migrants were being sent on to better land than that which they originally occupied, and that even in such a case where the land was better it would be a fallacy to assume that levelling up to a £10 valuation will remove distress unless the men were first trained to the knowledge how to cultivate the land.

23308. You say it is a fallacy to assume that the levelling up to a £10 holding would help unless the men were first trained in agricultural habits. Surely your only reason for saying that is because you have seen, and know from your own experience, that the farming generally on poor holdings is bad?—Yes.

23309. And you think that the mere addition of extra land would not necessarily mean that the farming would be better?—Yes.

23310. Are you quite sure in your own mind that the want of success to be found on these small holdings now is not really attributable to the unproductiveness of the land rather than to the want of knowledge of the farmer?—I am quite sure, in many cases, because anyone conversant with farming himself will know at a glance whether the land is capable of improvement, and I have seen many cases in the congested districts where the land could be considerably improved at a very small expenditure of labour.

23311. Have you ever known cases where it was absolutely impossible for a man to make a good thing of his holding?—In the congested areas?

23312. Yes?—Yes, there are; certainly.

23313. Because the land is so poor?—There are, certainly.

23314. When you give a man an addition to his farm, do you think he will be able to make more money than he was making before?—I think he would very likely make more money, but he would not be in a position to farm it as it ought to be farmed.

23315. He would not make the full amount possible out of it, but his position would be improved by the addition?—It would be.

23316 Don't you think when you give him that opportunity and he has made a little more money, then would arrive the time for the Agricultural Department or whatever authority was giving this instruction to come in and teach him how to make the full amount out of his land?—It would be very useful then or sooner.

23317. Then you get back to the other questions that Sir Antony asked you. If you have it sooner, how is he to derive immediate benefit from his instruction?—On the land he possesses which is capable of improvement, not in every case; but this will be largely a question of the individual capacity of the man himself. Some of those small men I do not for a moment wish to deny would be greatly improved by being migrated on to better land. I am not against migration as a whole. There are others who if migrated without additional knowledge to what they have now will certainly not till the land enough.

23318 May we assume that you are generally in favour of migration so long as reasonable care is exercised to select the best men to move?—Yes. That expresses my view.

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Mr. W. H. Boyd

23319. And of course when you migrate a good man you have got naturally to divide the land which he leaves among those who remain?—Yes

23320. How would you determine who the best man is? Would you take the man who has got the biggest holding, or would you take the man who, your expert told you, was the most intelligent farmer?—The most intelligent farmer I would think.

23321. Sir ANTONY MACDONNELL.—Not the man with the biggest holding?—Not necessarily.

23322. There would be a presumtion in favour of the man with the big holding?—If it is at all fairly tilled there would not otherwise.

23323. CHAIRMAN.—On that there is one question that I would like to ask you Mr. Doran told us that in making his arrangements for migration he had been handicapped by the fact that the people whom he considered the best men, the men with the most agricultural knowledge and the most prosperous farms were disinclined to move Those were the very men who felt that they had a stake in the locality, they felt they were getting on fairly well, and they were not willing to risk their own future by being moved into a new district. The result was that he had to recruit his migrants from, as he thought, the less suitable, the less prosperous members of the farming community, and yet, although that was so, there is I believe hardly any, if any at all, instance of failure among the migrants, and we have been given a table which shows the most extraordinary change in the position of these people Originally they were very small men, paying very small rents and farming very small holdings, and on being removed to other places they became tenants on a much bigger scale and made a very good thing out of their holdings. How do you reconcile that with your theory that the ordinary person is not suitable to move?—Of course that table is prepared in explanation of a certain view: is it not?

23324. By Mr. Doran?—He is the Inspector for the Congested Districts Board. It is his work. He is naturally interested in it, and he may take—I do not say he does—a *couleur de rose* view of matters I am afraid as you go through the West and South of Ireland you may hear a great deal of evidence on the contrary side.

23325. Mr. Doran, as I understand, is telling us facts. There is no question of opinion about it. He has had to remove a certain number of men. He has found that these men have been successful though they were not the men whom he would have chosen if he had the power. How do you reconcile that with your view that it is only the most carefully selected men who could succeed if migrated?—It would largely depend on what Mr. Doran meant by successful. Some of Mr. Doran's evidence in my opinion won't hold water when you come to it. For that reason I would be very slow to adopt the table put in by him without thoroughly investigating or analysing it.

23326. At any rate, you are not prepared to accept Mr. Doran's table?—No, but all the paragraph goes the length of saying is that it would be a fallacy to assume that distress would be removed unless the men were of industrious habits and trained in agriculture. That is the extent to which I put it. I am not pressing it to any extremes. I quite think that migration would be a desirable thing if we could get suitable men and proper land.

23327. You say that M. de Molinari declares that the general rate of rents in Flanders is higher than in Ireland. Do you think that is a fair comparison?—I give it for what it is worth. I don't build on it any special argument.

23328. Do you think one can take a country like Flanders and compare the condition of affairs fairly there with what exists in Ireland?—We do constantly hear Belgium compared with it.

23329. Is there any country that you know in which the conditions of joint ownership are the same as they are in Ireland?—No, but on the other hand I do not think there is any country in Europe where the conditions of the peasants are better than they are in Ireland.

23330. My point is this. You compare the payments made by the people in Flanders with the payments made by the people in Ireland. You seem to me to ignore the fact that in Flanders the persons occupying the holdings are tenants pure and simple and are paying rent. In Ireland, owing to tenant right and other things, they are to a great extent co-partners in the land?—These letters were written in 1880. That was M. de Molinari's opinion in 1880, before the fair rents were fixed.

23331. Still even in 1880 the Ulster custom existed?—Yes

23332. And there was great difficulty even on the part of Irish landlords in raising rents?—I don't think they wanted to raise rents except when the regular time for revision occurred.

23333. There was not the same freedom with regard to rent in 1880 in Ireland as there was in England in 1880?—No. The depressed times were beginning then.

23334. But the whole custom of the country was different. The communal spirit with regard to land was much greater in Ireland even then?—Yes.

23335. There was the great fact of co-partnership?—Yes.

23336. Does not that co-partnership account for the fact that the payments made would be greater than in a country where that does not exist and where the landlord is the absolute possessor of the land?—I cannot quite say that it does. Perhaps I don't quite grasp the point. I think it may be this. The Ulster tenant-right is a very peculiar thing. Practically the Ulster tenant-right never made any difference with regard to rent. Holdings that had the Ulster tenant-right on them or had not the Ulster tenant-right would have been valued by the valuers according to the producing powers of the soil and the sub-soil wholly irrespective of what there is paid for in-put.

23337. But where a man has got a certain right of occupation, do you suggest that there should be exactly the same standard of rent leviable against that man as where there is no right of occupation?—No. I am not suggesting that at all; nor do I want to press that remark of M. de Molinari down beyond 1880 when he expressed it, but I give it as the experience of an intelligent man who knows the subject with which he is dealing, and it was specially in reference to small holders; but I think his remark was true at the time in 1880 in regard to rent, but I build nothing more upon that.

23338. Sir ANTONY MACDONNELL.—What relevancy has it to existing facts?—All these remarks about small purchasers apply to the present time. That reference about the rent was materially modified by the Act of 1881.

23339. CHAIRMAN.—Of course the Act of 1870 was in force?—But the fair rent provisions came in in 1881.

23340. The Act of 1870 gave fixity of tenure?—Yes.

23341. That Act, giving as it did fixity of tenure, recognised the right of the tenant to the soil?—Not legally.

23342. It legalised the custom where it existed?—I will deal with it further on. It legalised the custom so far. Although there is a great deal of talk about dual ownership, the tenant does not own a spoonful of soil up to the present date

23343. He owns the goodwill?—Yes.

23344. Which very often is very valuable?—Yes.

23345. If he owns the goodwill, which he does not do in England, and, as I think, he does not do in Flanders, it must mean that in Ireland that the landlord's interest, and therefore the landlord's rent, is less than it is in England and Flanders?—I do not deny that. Then I go on. The Junior Estates Commissioners seem to be under several delusions in their anxiety to abolish the zones and cut down prices. They seem to think that a very small holding, what they call an "uneconomic" holding, *i.e.*, a holding out of the produce of which a man having no other sources of livelihood could not support a family in comfort, is bad security for an advance. The tenants with from three to five acres of land (say 15s. to 50s. valuation) are often very comfortably off; they avail themselves of the demand for occasional labour in the district. Their income is less precarious than that of the twenty and thirty acre farmers. Half of it is received in cash for wages for labour, and only half is exposed to the vicissitudes of weather and risks of farming operations generally. No holdings are better security for advances than these. The instalments are likely to be regularly paid, and in case of default the value can be readily realised, as there are more competitors for such holdings when sold than for larger farms, and they always realise comparatively high prices The Estates Commissioners seem to be under the further delusion that the lower they can cut the price and the instalments the less the risk to the Treasury

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and the Irish guarantors. This is not so. Every landlord and agent of any experience knows that very low rents are not easier to collect than moderate rents.

23346. Sir ANTONY MACDONNELL.—I might, perhaps, say, by way of correction, that your use of the word "junior" in "Junior Estates Commissions" is, as I suggest, a mistake. The three Estates Commissioners are co-equal. They were appointed at the same time, and one is not senior or junior to any of the other two?—I was not aware of that.

23347. I did not understand you to convey any imputation at all, but I merely wish to correct a mistake?—What I wished to convey was that Commissioners Finucane and Bailey seemed to be under several delusions, and so on. I thought that Mr. Wrench, having been so long in the Land Commission, was the senior.

23348. No. There is no seniority. Why do you say that the majority of the Estates Commissioners are anxious to abolish the zones—can you point to any declaration of theirs to that effect?—I gathered that from some of the evidence.

23349. Can you point to any statement that they ever made, either in their official position, in their office, or to any report which they made which leads to that conclusion?—I might look it up subsequently, because it might detain you now.

23350. By all means. I should be extremely surprised if you are able to find any such statement. You say the tenants of from three to five acres are often more comfortably off than those who hold twenty or thirty acres, because they avail themselves of the demand for labour in the district to obtain employment. What happens if there is no demand for labour in the district?—It is only in the case in which there is a demand that I say they are better off.

23351. That largely reduces the extent of your observation?—It modifies it, of course.

23352. You say energy and industry are not characteristic of the Irish peasantry, and the necessary incentive to encourage these habits is what you call a fair rent or high annuities: that is to say, the higher the rent is the more the tenant's industry is stimulated?—Not that.

23353. What does it mean?—Within the limits of fair rent.

23354. That is your statement. Within what you call fair limits the higher the rent the more the industry of the tenant?—Yes, within fair limits.

23355. Fair limits is a relative term. It depends on the individual who is considering the question?—It is just as they fix a fair rent.

23356. Ultimately is it not an argument of the same kind as that leads to the slave drivers' whip being the stimulus for the slave?—I think not. Surely a stimulus is an admissable thing.

23357. Is it not of the same kind, only different in degree: if the rent be so high that the man's industry and capacity to work break down, is that not somewhat analogous to the slave drivers' whip?—It would be, but that is outside my argument.

23358. I push your argument to that point?—You cannot. My argument, I say, is within certain limits. I take as the limit the fair rent as fixed by the Sub-Commission.

23359. It is the old idea. The more you salt your land, as the expression was, the more you stimulate the industry of the tenant?—I would not at all agree in that view.

23360. That was the argument that led to all the land legislation that took place?—I don't think so. That was the excuse often put forward, and it would be in many cases an utterly false statement.

23361. It was the excuse accepted by the legislature?—You cannot argue from that.

23362. If you say that all that the Legislature has done is wrong I won't put any more questions?—I have not said that. All I say is that we cannot base the argument in which you and I are engaged on the results of the action of the Legislature.

23363. I am content to leave it there?—My position is this. Within certain limits I think a stimulus is absolutely necessary for the Irish tenant. In regard to rent fixing I would not desire to go beyond the fair rents that are now fixed by a competent court, and I think that that is quite necessary. The great want that in my mind occurs in Ireland is that there is not enough of individual character. There is not enough mental and moral qualities in the Irish tenant to enable him rightly to use the great intellectual powers with which he is endowed. I think that the Irish peasant is an extremely intelligent person and endowed with some of the higher qualities of intellect which without due balance are apt sometimes to carry persons to extremes. They have very vivid imaginations; they have a very great sense of high ideals; they are very religious, and they are moral in every thing unconnected with land. I do not mean to say that in any offensive way. I mean the temptation there perhaps accounts for them not having at all times the highest class of virtue.

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23364. Must there not be some reason connected with the land that excludes them from your high eulogium?—The love of country.

23365. I do not know. There are two parties to the bargain?—I think in the national character there is a great deal of need for their industrial character being developed and a spur being given to industry which otherwise is apt to take a back seat.

23366. Sir JOHN COLOMB.—Is this the position you take up, that the nearer the rent approaches to the real value of the holding the greater the incentive to industry?—Yes.

23367. Therefore, if the rent fixed by the Land Commission presumably represents the real fair value it may be that a great reduction on that rent in the form of an annuity may not prove the incentive that the possession of property is supposed to convey with regard to the encouragement of industry?—Yes. I think that that is very accurately put.

23368. Sir ANTONY MACDONNELL.—Therefore the Irish tenant works harder to pay his landlord than he would to pay himself: he works harder to give money away to another person than he would to keep it himself?—I have heard it said they had to do so in old times.

23369. Sir FRANCIS MOWATT.—You say that the tenants with from three to five acres are often very comfortably off, as they avail themselves of the occasional demand for labour in their districts, and that no holdings are better security for advances than theirs. That is hardly consistent with the laziness that prevents a man from working his farm to make a little more money. Lazy or not it appears that he avails himself of the demand for labour in the district; in other words he works as a labourer?—Yes.

23370. The result is that no holdings are better security for advances than these. I only want to test this as it goes along, because the theory of the general laziness of the Irish is rather new to me, and I should like to ask whether you think that that is quite consistent with extreme laziness?—It is, in this way. No general rule will apply to every case, and I don't mean to say that everyone is lazy, but it is a natural characteristic. But what makes the holding greater security for an advance is that if the man fails in it, as very possibly he may, it will be easy to get the value of it from a number of men who are waiting to bid for it.

23371. Must we except from the general description of lazy Irishmen, tenants of from three to five acres?—Oh, far from it. No, only in certain cases where the tenants are hard working men.

23372. Mr. BRYCE.—Would you have said exactly the same thing before the passage of the Land Act of 1881, as to high rents being an incentive—I did not say high rents. I said fair rents.

23373. Before 1881 there was not a fair rent?—Certainly, and it was manifest throughout the country. At one time voting power was got by what are called half-crown freeholders in Ulster, men who paid no rent except half-a-crown a year, and their holdings were so neglected that going through the country you could know the holdings of the freeholders. They had their holdings for little or no rent, and they would not work, while men who held at fair rents and men who held at even what you would call high rents were industrious and thriving, and worked hard. I know instance after instance of that.

23374. Sir ANTONY MACDONNELL.—Were the low rented holdings smaller than the others?—They were very good, nothing like the sort that we are talking of in the congested districts. They were quite good holdings; but it is human nature very often not to do more than is necessary, and if you can earn money by letting cattle go on your land, and digging a little hit, and putting in potatoes, and then the rest of the time going to petty sessions, law courts, and things like that some people like it better. That is the

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fact. I do not say it is universal, but I think you will find it very hard for people who know Ireland not to admit the truth of it.

23375. Mr. Bryce.—I don't quite understand your answer to that question. As I understand you now you say you want the fixation of a fair rent, and you are satisfied that the rents now being fixed are sufficient inducement to the tenant to work?—I think they ought to be.

23376. Then I asked you in reference to the position before the passing of the Land Act of 1881, was not the thing in a different position when the rents were very much higher?—Yes.

23377. But at the same time this argument which you use is one that has been brought against reductions of rent and against the passage of the Land Act, this argument which you use has been always employed as a reason for refusing to alter the Land Laws?—I am not talking of excessive rents. Of course, if the rent is raised beyond what is fair so as to be excessive and oppressive I can quite understand a man saying it is useless trying to work this thing, and chucking the whole thing up, but I don't believe there were many such cases. That is the only case in which it can be applied prior to the Act for fixing fair rents.

23378. Do you not think that an improvement has been effected by the Act of 1881 is shown by all the large savings to which you have referred?—Those are not necessarily agricultural.

23379. I understood you to say that it applies in country districts also. Does not that show that the policy of the Act of 1881 in reducing rents did conduce to the prosperity of the people and therefore there is nothing to show, but rather the contrary, that if the purchase annuity was smaller even than the fair rents the prosperity of the country might not be still further increased?—It might, but I think you would require to keep a fair incentive to work over many Irish tenants.

23380. Sir John Colomb.—You spoke of the high moral qualities of the Irish people, but you made an exception in regard to dealings in land?—Yes.

23381. Do you agree that the system as established in 1881 of Sub-Commission Courts has contributed largely to this moral laxity in relation to land?—I would hardly put it so far as that.

23382. Do you agree with Mr. Finucane's description of the system of fixing fair rents where he says at the conclusion of his answer to Question 16165, that the system "leads to deterioration of the land, the discouragement of improvement, perjury in the Courts and demoralisation of the worst character." I am quoting from his description of the working of the system of dual ownership and method of rent fixing?—I think there is sufficient truth at the bottom of it to prevent me denying it *in toto*, but I think that is putting it rather strongly. Undoubtedly it leads to bad farming, and leads men in giving their evidence in a court to take a very one-sided and biassed view of the value of land, because I have heard men give evidence about the same land when a fair rent was being fixed on it and when it was being taken for a railway, and the two things were hardly consistent. So that there is a certain amount of truth in the description quoted.

23383. Do you not think, even taking a more modified view of the evils of this system, that it must have a beneficial effect upon the occupiers of Ireland to be released from that system, and become owners themselves?—Certainly.

23384. Sir Antony MacDonnell.—Do you not think the benefit would equally accrue to the landlords? Do you think the disadvantage is altogether on the side of the tenant? Won't this great moral revolution also affect the landlords?—In selling their property?

23385. No. There is an imputation which emerges from that statement against the tenants. Does not the same sort of imputation emerge as against the evidence given on the landlords' side?—Never that I have heard.

23386. Then you impute it altogether against the tenants?—I am afraid there has been a demoralisation.

23387. Then the landlords have been impeccable?—I would be very sorry to say that, but the evidence I have heard given in the Sub-Commission Court has certainly been much more strained on the side of the tenants' advocates and interest than on the side of the landlords.

23388. You would not be surprised if the converse of that statement were made by the tenants' representative?—No, but I don't know that he would be in as good a position to judge.

23389. If he said he was in a better position to judge?—I would leave that to you to judge.

Sir John Colomb.—Don't understand me to suggest that the imputation was entirely on one side.

Sir Francis Mowatt.—I don't think that that answer of Mr. Finucane's to which you referred suggested that it was only on one side.

Sir John Colomb.—I read the conclusion of the answer by Mr. Commissioner Finucane and asked Mr. Boyd would he agree with it and he said it was an extreme view.

Sir Antony MacDonnell.—That is all right. We understand precisely now that both sides are concerned in this business.

23390. Chairman.—I understand that view is that the present system leads to a great deal of straining of what is accurate in cases that come up for decision?—Yes.

23391. You say that a one-sided view is very often taken. We all know that when a one-sided view of the kind is adopted it very often leads to extreme talk on the other side?—Yes.

23392. And I suppose you will agree that an unfortunate condition of affairs of that kind may lead to considerable exaggeration by both parties to the suit?—It may, but I have a great deal of experience of the Land Court and I am sorry to say that what generally happens there is that the landlord's case is allowed to go by the board. He does not very often defend, not that there is much opportunity for this on his part.

23393. Does not the landlord defend his interests?—No. In nine cases out of ten he does not.

23394. Why not?—I think, perhaps, the costs have something to do with it, they are very heavy.

23395. That shows rather that the landlord assumes in those cases that the exaggerated talk does not amount to very much in the mind of the Commissioners?—I think they just leave it to the Court. They found that giving evidence really has not had very much effect one way or another. We tried at first giving evidence in the cases. Things are so different in Ireland from England.

23396. Most Rev. Dr O'Donnell.—I think you said that the high morality of the Irish tenants deserted them on the question of rent?—It would affect it certainly.

23397. Would you consider that the fact that improvements in the past have been made the occasion of raising rents would account for that to some extent?—In those cases where it was unreasonably done I daresay that it might.

23398. More than that; do you think might an idea that the ownership of the land had been acquired by confiscation in the past influence the tenant also?—I think so; though I don't think that that would occur to the tenant if it were not put into his mind by agitators and others.

23399. It may be that the agitator has some grounds for mentioning these things to the tenants?—Yes.

23400. I don't want to ask more than that. What you say about the security of the small holdings is very interesting. Where the occupier has as well as his bit of land a chance of labour he is a good mark for his instalments?—I think he is.

23401. Would you consider also that the man who has a small bit of land out of which he cannot live and who gets an additional two or three acres of good land, and pursues the same industry on his enlarged holding as he did on the smaller holding, is a very good mark for his instalments?—Assuming what you have said, I think he would be.

23402. In your own experience do these small men work very hard on their farms?—Some of them do. It is very much a question of individual character.

23403. You would consider that the population in the Lagan district is fairly energetic from the agricultural point of view?—Yes, but they are large farmers.

23404. In regard to that I think you would take it that the hired hands whom they employ from different parts of Donegal are also energetic labourers?—Yes.

23405. About those men who had freeholds for small sums, would you look on them as typical or as sporadic instances?—I don't know any place where that was done and they succeeded. They are scattered here and there through the country. They are not at all general now, but I think wherever they

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were low rented, they went to the bad. I can give an instance in your own county that I am sure you know of. I have in my mind two estates. I may mention the names of them. One is that of Colonel Humphreys, of Glendoan, and the other is that of Mr. Hewitson, of Gartan. Both are in congested districts. On Colonel Humphrey's estate they are prosperous. The rent is regularly paid by all. Among Mr. Hewitson's tenants are many who have not paid any rent for twenty years, and others who are very much behind. You could not at all compare them either in industry, punctuality, or solvency with Colonel Humphrey's tenants.

23406. May I ask you with reference to the Humphrey's estate, in which there has been a satisfactory condition of things to my knowledge, whether the Humphreys have not been very good landlords and whether in bad years they have not taken special care to see that their tenants get seed?—I think so.

23407. You know that personally?—Yes, and that can be said also of a good many landlords in Donegal.

23408. I have not wide experience, but I happen to know it in the case of the Humphreys?—Yes.

23409. Would not that account for the regularity of the payments to a great extent?—Yes, but Mr. Hewitson was very generous.

23411. There cannot be the least doubt about it. Do you not think if an Irish property is to be managed at all by a landlord that it stands to reason that whatever is to be exacted under the name of rent has to be taken from year to year?—Yes.

23412. And an accumulation of arrears not allowed?—Yes.

23413. Sir Francis Mowatt.—Was the second estate fairly rented or rented very low?—They have never been into court, but they got abatements from the landlords on the old rents and did not pay them. What the Bishop says from another point of view is perfectly sound. Rent should be collected regularly and not allowed to accumulate.

23414. Most Rev. Dr. O'Donnell.—If arrears are allowed to accumulate on a property and you come to exact them would not that create an unsatisfactory condition of affairs?—Yes, but it is a strong confirmation of what I say, for it shows that if the rents are not collected regularly the tenants will fall behind.

23415. Does not another element come in where a rent is allowed to remain out, and after a certain number of years the man is asked to pay?—Is not that practically an impossible demand? Under the Act you can only take two years' rent. If you take out an ejectment it can be settled by the payment of two years' rent.

23416. Mr. Kavanagh.—In the case of migration from the congested districts, suppose you take half the population away, do you believe in the amalgamation of two uneconomic holdings so as to put them in one?—Yes, I do.

23417. Have you read a paper by the late O'Conor Don on that very subject of the amalgamation of two and three-acre farms?—No, I have not had any opportunity of seeing it.

23418. He disapproved of it, but you believe in it?—I had a very high opinion of his judgment and might modify my own if I read what he had to say on the subject.

23419. If there were two farms, say, of two or three acres each under spade labour, would you say that it would make one man richer to give him the two than he was with the original farm?—I would think so, because it would give him a larger scope for grazing cattle. Cattle won't thrive if they don't get a certain area to travel over.

23420. Would that land stay in grass?—I have seen very fine cattle grazed in Mayo and Galway in wild mountain herds.

23421. I am very glad to hear your opinion, because I read this paper by the late O'Conor Don entirely disapproving of the amalgamation of two uneconomic holdings. He says that it will make a man worse and not better?—I should not have agreed with him, but would like to have an opportunity of seeing what he says.

23422. Sir Francis Mowatt.—He would have to get additional labour?—Not for farms of that size.

23423. With seven or eight acres under spade labour?—He would not put most of it under spade labour.

23424. I understood the question to be in reference to a farm that would be entirely under tillage?—He could not.

23425. Mr. Kavanagh.—You say part of it would stay under grass. I was under the impression that that land would not, but you say that it will?—He would not break more than an acre.

23426. Sir Francis Mowatt.—The question would depend on whether he would have to get labour from outside?—He could not get labour from outside for a farm of that size.

23427. Is that the explanation of why it is suggested that the man would not be richer?—He could not get labour from outside for such a very small farm.

23428. Chairman.—You say in reference to these three and five acre farmers:—"Their income is very often less precarious than that of the twenty and thirty acre farmers. Half of it is received in cash for wages for labour, and only half is exposed to the vicissitudes of weather and risks of farming operations generally. No holdings are better security for advances than these." Will you tell me why you come to that conclusion?—No holdings can be better security for advances than small holdings, because when a man fails there will be so many competitors for his holding in the market that it will be very easy getting people to buy it.

23429. Is not that a misconception of the very first principle of State advances of money for land purchase?—I should have thought, personally, that the whole idea of the advance upon the holding was based on the principle that the holding was security for the advance?—Yes.

23430. In your case the holding is not the security at all; the holder is the security?—No, what I mean is this. In the first place I think that these small men are very often very well able to pay their way and will be punctual payers of their instalments. If by any chance a man does fail and the State was to take steps to put him out there will not be any difficulty in finding another man willing to go into that holding. The holding being the security for the advance, another man will take it and clear off the liability and go in and work it himself.

23431. But the fact still remains that the security is a personal and not a landed security. You say perfectly truly that if one man comes to grief you may find lots of other handy stalwart fellows who might come in and be just as good security to the State. That is perfectly true, but the fact still remains that in that case the State has advanced money, not upon the security of the holding, but upon the physical powers of the man who occupies the holding?—It certainly is on the holding that the State advances the money.

23432. It does not in this case, because by your own premises one half of the man's income, and therefore presumably a large portion of his annuity is derived, not from the holding but from wages derived from labour. The holding is not furnishing his livelihood. He is deriving it from perfectly different sources?—I said that.

23433. If he fails to get labour he cannot pay the State. Therefore the security to the State is bad in that sense that it is an advance on a holding which is not sufficient security to return the annuity without extra sources of income?—Yes, but why should the State object when it is kept safe in that way?

23434. They are only safe by the fact that round about this place are a number of people who are physically strong. But if you had no demand for labour, or if there was physical degeneration among the people, the State would find itself with a holding upon which it had advanced a certain amount of money which could not repay the money advanced?—Of course, that is one of the great problems of the Land Purchase Act. The best that can be done in that case is to secure the State as well as you can. In this case it seems to me that you have got a very good security.

23435. Is not the obvious way to secure the State to ensure that when the State advances money for the purchase of a holding that holding should be in itself economically sound?—If you can do that in justice.

23436. The primary idea of a State advance for a holding is that the State should advance money for the purchase of a holding which is itself sufficiently rich or profitable to return to the ordinary farmer a yearly sum which will enable him to pay the State?—Yes, but in doing so the State has recognised the difficulty, because it has admitted a loss on certain classes of holdings. The Estates Commissioners may make a loss of ten per cent. on certain classes of holdings. There is another view in that connection that I

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want to put before the Commission. It is this, that the British Government is to a large extent responsible for the condition of things that exists in Ireland now, resulting in the inhabitants of parts of the country being driven to the seaboard, and in that way to uneconomical holdings. If there be any truth in that, which I am not going to contend against, but if there be any truth in that I want to put before you that there is a correlative responsibility on the Government for having placed landlords in the position in which they find themselves. If congestion is due, as they say, largely to the action of the Government, they are now responsible not only to the tenants to adopt some remedies that will benefit them, but they are responsible to the landlords who got possession of these estates, and who are now suffering from a condition of things due to the action of the British Government. And if that is so it seems to me that there is a correlative responsibility on the Government, and if the Government desire to compensate the tenant for former acts of alleged injustice they should do it at their own expense, and not at the expense of landlords, who also have grievances, though they are not able to voice them as loudly as the tenants.

23437. Sir ANTONY MACDONNELL.—When did this evil commence of which you complain?—What I say is that certain statements have been made, and you have had some in evidence before you as to the way in which tenants were hunted to Connaught, and that sort of thing.

23438. That is the reason you give?—Yes. That is now brought up against the Government as a reason why the uneconomic holdings in the West should be treated by them on liberal terms, because the present condition is due to Government default in times past.

23439 I don't know that that was ever said. It was an explanation of why the holdings were uneconomic to say that people were sent to the West, but assuming that that is so, is not the fair price which the landlords are getting for their estates now the adequate compensation which you claim?—I deny the fair or high price.

Sir ANTONY MACDONNELL.—We will come to that afterwards.

23440. Sir FRANCIS MOWATT.—Would that consideration apply to landlords who purchased their land long after the action of the Government, and who got the land at prices that were affected by the then condition of affairs. Suppose Cromwell drove the poor people on to the western fringe, and in the time of William the Fourth or George the Fourth a man bought the estate at the price which that action of Cromwell's had led to, he would not have any claim to compensation?—I don't say that there is any claim, of course.

23441. Any moral claim?—I put it in this way, I think a man who bought, for instance, under the Landed Estates Court would have a still stronger claim, because they bought them under certain conditions recognised by the Government, and the Government have passed Acts of Parliament since then entirely upsetting these conditions.

23442. Sir ANTONY MACDONNELL.—Don't you think that if they bought in the Incumbered Estates Court for from twelve to fourteen years' purchase, as they often did, and are able now to sell at twenty-four or twenty-five years' purchase, they have not suffered?—They often bought them on a very false rental.

23443. And often raised their rental very much?—I have known an estate bought at fourteen years' purchase on double the rental that they found it possible to collect when they came in, with the result that they had to drop it to one-half. That was not common, but it was done in several cases.

23444. CHAIRMAN.—Will you pass to the next paragraph?—Without wishing to state it too strongly, I may say that energy and industry are not characteristics, that it would occur to me to attribute generally to the Irish peasantry.

23445. Sir ANTONY MACDONNELL.—Would you also bracket landlords with that?—The best incentive to encourage these virtues is the necessity that arises to cultivate the land for the producing of profit to meet a fair rent. In time the "Magic of Property" may replace the spur of having to pay rent as an incitement to make the most of the land, but during the transition period no worse injury could be done to the interests of the whole agricultural community of Ireland than by adopting a course by which resident landlords will be unduly impoverished, and prevented recovering gradually from the trials of the last twenty-seven years, with the help of the bonus, in order that the purchasing tenants may start as proprietors on exceptionally easy terms as regards annual payments

23446. Mr. BRYCE.—Which is the course you refer to?—To cut down the purchase instalments and the price of land unreasonably.

23447. Sir JOHN COLOMB.—I suppose I may sum up correctly your view in this way—that if for reasons of State the State adopted a policy which interferes with or encourages the reduction of large and increase of small holdings, then any loss involved should fall upon the State, and not upon any particular class, be it either landlord or tenant classes or persons?—That is correct.

The Commission adjourned.

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FIFTY-FIRST PUBLIC SITTING.

SATURDAY, 16TH MARCH, 1907.

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's-square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; CONOR O'KELLY, Esq., M.P.;

and WALTER CALLAN, Esq., Secretary.

MR. W. H. BOYD further examined.

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23451. CHAIRMAN.—Will you go on with your memorandum where you left off last night?—Yes. I was asked a question yesterday by Sir Antony MacDonnell, who wished me to look it up in the meantime. I am in possession of the information now, and can deal with it any time you wish. Would you like me to do so now

23452. Yes?—The question Sir Antony asked was what evidence there was that the Estates Commissioners desired to abolish the zones. I think that was the question. I have looked through the queries, and there are a number of queries on this, but I think if I read one or two it would suffice. The first is the evidence of Commissioner Bailey at query 16464. He is asked —"Am I right in suggesting that there was a case of an estate in the Co. Westmeath which the Land Commission refused to let go through at 17 years' purchase, and which has since passed through your hands at a considerably increased figure under the operation of the zones?" He says:—"I do not know the name of the estate, but it is quite possible." Then he is asked:—"I only noticed the instance in one of the Dublin daily papers, but it is quite possible that that might have happened?" and he says, "Yes." Then he is asked:—"And if that is so don't you think a case has been made out for abolishing the zones altogether?" His answer is, "That is a conclusion which might be drawn."

23453. Sir ANTONY MACDONNELL.—Is that the statement?—That is only one of them.

23454. Let us deal with each one?—We could not do it. That is not my case. I made a certain statement in my evidence, and I wish to show you the facts upon which that statement is based. It is not based on one isolated case.

23455. But if you quote an isolated case and that isolated case has no reference to and no bearing upon the point, are you justified in insisting upon it?—Certainly, because it is part of the string in the argument.

23456. An argument is no stronger than its weakest link, and I take this as a link in the argument?—No, this is the starting point.

23457. But you cite this, do you not, as an argument?—No, not as a complete argument in any sense. I cite this as the point from which I start in the string of facts which produce the argument that has resulted in what I have put on the evidence.

23458. Well, I do not wish to interrupt you, Mr. Boyd. You continue on with your quotations, and then I will go back and take up each individual link of the argument, and if I show that each individual link or any one link is weak your argument will suffer?—Well, I cannot help that. Then at 16477 he is asked—"Do you not think that the only remedy for stopping these things is to have inspection in every case?" The answer is—"Undoubtedly; that would enable us to examine into the details of every case." I am not going to give you every reference, but only the important ones. Then at 17271 there is this:—"As I gather from what occurs in this paragraph and from your final conclusions that there is danger to the security of the State from the possibility of the importation of foreign store cattle, do you think it safe to go on with the zone system without inspection on those poor properties in the West of Ireland?" And the answer is—"Of course under the zone system we are under no responsibility at all as to the price we advance The State has seen fit by the zone system to take on its own shoulders the responsibility for the advances made, and provides that those advances are to be made without inspection as to security. It is for the State to determine whether it is willing to continue to undertake that responsibility. We are relieved of responsibility, but it is another matter when you consider whether the State is justified——" And at that point the witness was interrupted.

23459. Are you going to quote any further?—Yes, but not on that question. I go now to question 17307, the final printed question in the evidence:—"Therefore you limit your contention to this, that it is desirable, although agreements are made under the zones, that you should have a power to set it all aside and fix your own values and refuse to recognise the property as an estate?" The answer to that is:—"We are to a certain extent able to do it even under the law now, but I think it very important that it should be done more widely, and that in cases comprised largely of holdings of that kind we should use the same power." Then he is asked:—"What you mean is to eliminate the consent of the landowner in the case of congested estates, and that you would like to use these powers applied in congested districts?" To which he replies, "Yes." Then he is asked:—"You do not claim the right to set aside the zones throughout Ireland?" and he replies, "I prefer not to give you an opinion on that now." Those are the facts upon which I based the statement that there was a desire on the part of the Estates Commissioners to abolish the zones.

23460 That is all you quote from Mr. Commissioner Bailey's evidence?—Yes.

23461. Shall we deal with Mr. Bailey's evidence before you go on to Mr. Finucane's?—Well, just what you wish. I think the best way would be to go on to Mr. Finucane's.

23462. I should prefer the other, if you please?—Very well.

23463. Well, look at 16464 to 16466. The question is this —"Am I right in suggesting that there was a case of an estate in the County Westmeath which the Land Commission refused to let go through at 17 years' purchase and which has since passed through your hands at a considerably increased figure under the operation of the zones.'' The implication there is that the Land Commission having inspected that estate considered that it was not sufficient security for the advance of 17 years' purchase, but that under the operation of the zones the Estates Commissioners were compelled to pass the sale at a considerably increased figure. The answer is—"I do not know the name of

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the estate, but it is quite possible." That answer in itself is not an attack upon the zones?—No.

23464 Let us get on. The next question is—"I only noticed the instance in one of the Dublin daily papers, but it is quite possible that that might have happened?" and the answer is, "Yes." Then he is asked, "And if that is so don't you think a case has been made out for abolishing the zones altogether?" and the answer is, "That is a conclusion which might be drawn"?—Yes.

23465. Is that a statement that Mr Bailey drew that conclusion?—I do not say it is

23466. Then how can you base any argument on 16466?—I beg your pardon. It is to show the attitude of mind of the man who makes the observation.

23467. The attitude of mind of a gentleman who draws no inference from the facts before him?—Except that a certain conclusion might be drawn from the facts.

23468. Which he did not draw?—He did not announce it

23469. How can you say that he attacked the zones?—I do not say that he attacked the zones

23470. Well, I am content to leave it there. Let us pass on to 17271?—Well, 16477 was the next I read, was not it, and rather an important one.

23471 There is an inquiry from Mr. Bryce—"Have you not really got information that that sort of thing has been done to a very large extent?"—but I don't think you read that?—No; the next one.

23472 Yes. "Do you not think that the only remedy for stopping these things is to have inspection in every case?" And the answer is, "Undoubtedly: that would enable us to examine into the details of every case"?—That is all.

23473. Is that an attack on the zones?—I did not say it is an attack on the zones.

23474. If you admit that it is not an attack on the zones I have nothing at all to say?—If you allow me to give the passage of my evidence which you questioned yesterday, it was this——

23475 I will allow you to do that afterwards. *Witness.*—It is more considerate to the Commissioners who were not present here yesterday.

23475A You will have an opportunity afterwards, with the Chairman's permission, of explaining anything that you desire to explain, of course bearing immediately on this point, but so far as the two points you have raised I have come to the conclusion myself—whatever other members of the Commission may have come to—that no attack on the zones has been developed up to the present. Now go to 17271. I think that is the next one you took. The question is this—it is an inquiry by the Chairman—"As I gather from what occurs in this paragraph and from your final conclusions that there is danger to the security of the State from the possibility of the importation of foreign store cattle, do you think it safe to go on with the zone system without inspection, on those poor properties in the West of Ireland?" There the question is restricted to congested estates, poor properties in the West of Ireland, clearly distinguished off from the rest of the country?—To which the zone system applies.

23476. That is a point that I am coming to The answer is, "Of course, under the zone system we are under no responsibility at all as to the price we advance. The State has seen fit by the zone system to take on its own shoulders the responsibility for the advances made, and provides that those advances are to be made without inspection as to security It is for the State to determine whether it is willing to continue to undertake that responsibility We are relieved of responsibility, but it is another matter when you consider whether the State is justified——" Is that an attack on the zones?—There was no full stop after "justified." He was interrupted in the middle of a sentence.

23477. You could not prophesy what he was about to say?—No, but I think I see the drift.

23478. Other people may not be as clear?—Quite so.

23479 But at all events you only assume it. Then there is the other one, 17307:—"Therefore you limit your contention to this—that it is desirable, although agreements are made under the zones, that you should have a power to set it all aside and fix your own values and refuse to recognise the property as an estate?" And the answer is—"We are to a certain extent able to do it, even under the law now, but I think it very important that it should be done more widely, and that in cases comprised largely of holdings of that kind we should use the same power." Now, Mr. Boyd, may I call your attention to Section 6?—Read the next question

23480. "What you mean is to eliminate the consent of the landowner in the case of congested estates and that you would like to use these powers applied in congested districts," and his answer is, "Yes." Then, "You do not claim the right to set aside the zones throughout Ireland?", and he replies, "I prefer not to give you an opinion on that now." Now, may I call your attention to Section 6 (4) of the Land Act It runs thus:—"In the case of a congested estate as defined by this section, if the Land Commission with the consent of the owner certify to the Lord Lieutenant that the purchase and resale of the estate are desirable in view of the wants and circumstances of the tenants thereon, then the Land Commission may purchase the estate for a price to be agreed upon, and in such case the conditions in this section as to resale without prospect of loss may be relaxed to such extent as the Lord Lieutenant may determine" If you followed the progress of the Land Purchase Act through the House of Commons and the House of Lords, you will remember, Mr. Boyd, that when the Bill was sent up from the House of Commons to the House of Lords these words as to the consent of the owner did not exist in that section. The intention of the Commons was that congested estates should be excluded from the zones altogether, that the Estates Commissioners should be entitled to deal with and buy up congested estates for the best price they could agree upon with the landlord independently of the zone system altogether. That is at the basis of this part of Mr. Bailey's examination, and that is the explanation of his answer to the President.

CHAIRMAN.—I think you will see that that is quite clear in the further question, 17272, if you look at it presently.

23481 Sir ANTONY MACDONNELL.—Yes, but I think I am quite correct in saying that when the Bill passed from the House of Commons to the House of Lords those words were not in the Bill at all. They were inserted in the Bill in the Lords and the great obstacles which have up to the present time limited the operations of the Estates Commissioners to three or four congested estates bear upon these words, so that their opposition to the zones in this part of that evidence is opposition in regard to congested estates, Mr. Boyd, and not opposition in regard to the operation of the zones generally?—Oh, well, Sir Antony, if we have that on your authority, that it is not an opposition to the zones generally but merely directed to the removal of the zones in the case of congested estates it will be a relief to the minds of the landlords. It will be a relief to the minds of the landlords and others who have taken a very different view. But will you allow me to point out this in regard to the argument you have put forward as to Section 6, that it has never yet been determined by a competent legal tribunal whether the zone system applies to Sections 6 and 7 as well as to Section 1.

23482. I assume that it does?—You may assume it, but I say it has never yet been determined.

23483. The Estates Commissioners assume it?—It has never yet been decided

23484. CHAIRMAN.—May I just read the paragraph which followed the one you quoted. You stated that I interrupted the witness. Apparently I did That is in 17271. At the end of that comes an interruption, apparently, and I say, "I am not talking about the Estates Commissioners, but do you think it wise for the State to continue to allow the Purchase Acts to be conducted under the methods that they have been conducted under since the Act of 1903 as regards the zone system, and as regards the absence of inspection in those cases?" Then he says "We ourselves in the case of estates in those western regions where the land is very largely composed of very poor holdings that would be very easily affected by any sudden change in prices have felt that it is a danger to call properties an estate so as to bring them under the zone system, for when we define a property as an estate it comes automatically within the zones, but there have been some cases where we have required the vendor to bring the estate under what is known as Section 6, that is to sell the estate directly to us, and in that way we offer a price for it which is not dependent on the zones." Does not that mean, Mr. Boyd, that Mr. Commissioner Bailey wished to convey to us there that in his

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opinion with regard to those very poor estates it was not desirable that they should come under the zones?—So far.

23485. And therefore so far as those poor estates were concerned he regarded the zone system as being a method by which estates passed to the tenant when they had not always really good security for the price paid for them?—Yes.

23486. And that they had been obliged to refuse to declare such property an estate so as to prevent it coming under the operation of the zones in order to force the owner to adopt the procedure under Section 6 and sell direct to the Estates Commissioners?—Yes, so far as possible to avoid using the zone system.

23487. I think that is perfectly clear?—I think so.

23488 Sir ANTONY MACDONNELL.—And therefore my point was that this question and Mr. Bailey's answer dealt with congested estates, and that it had reference to Section 6 and not to the zone system, which did not come in, and was not under consideration in connection with sales under Section 6 at all?—But the final question referred to Ireland.

23489. Well, that, after all, he refuses to answer. He says: It is a very big question upon which I do not want to express an opinion. He prefers not to give any opinion on this point. Can you draw from that any clear and conclusive inference that there was any intention whatever to attack the zones—you cannot, and neither can you draw such an inference from his words taken in a cumulative way?—It has been drawn universally.

23490. I submit to you now on every principle that that was an incorrect inference?—I don't know, except in so far as you have authoritatively stated that the Estates Commissioners are not opposed to the zones in general.

23491. Pardon me You must not put words into my mouth, or say that I have stated authoritatively that the Estates Commissioners are not against the zones. I stated nothing of the sort. I asked you to point me out any part either of any statement of the Estates Commissioners or any written document of theirs which is an attack on the zones. I challenged you to do that, and you have failed to do it, and now you change the question and you ask for a certificate from me relating to the Estates Commissioners. They do not stand in need of any certificate from me. They stand on the basis of their own statements, which you have impugned, and you have failed to establish your imputation?—Certainly I know you explained what was meant by Section 6, and I certainly understood you to say that the Estates Commissioners did want to do away with the zones in cases falling within Section 6.

23492. The zones do not apply to Section 6?—Kindly allow me to continue. That is what I understood you to say, that they would wish to do away with the zones in cases of congested estates, and that originally it had not been covered by the words "with the approval of the landlord" in Section 6. I thought you further went on to say that the views of Mr Commissioner Bailey, as expressed in the reply I read, were directed against the zones in congested districts and not against the zones in general. That coming from you, as I stated, is an authoritative pronouncement If you withdraw it, of course, that is another matter.

23493-4. The question is perfectly clear. The operation of the zones applies only to cases in the first five sections of the Act. Section 6 relates to a bargain between the vendor and the Estates Commissioners?—There has been no legal decision upon that, and it is a point that has been questioned, not only by judges, but by counsel, and there is likely to be soon a legal decision on it.

23495 Sir ANTONY MACDONNELL.—No case has even been stated. If there was any doubt whatever as to the meaning of Section 6 any landlord could have asked the Land Commission to state a case for a Judicial Commissioner if it was desired

CHAIRMAN.—Is it any use continuing this discussion? Now, with regard to Mr Finucane?—I do not want to delay the Commission any further.

23496 Sir ANTONY MACDONNELL.—I beg your pardon?—Then you shall hear it. Mr Finucane argues in this way. Without reading all his statements I may say he takes this line of argument. I have them all here, and can read them if you wish, but I think this is his line of argument, that it would be undesirable for a landlord to sell direct to tenants in cases where it would remain as an estate with congested holdings. That could be done under the zones system. Mr. Finucane's line of argument was this. He said it was undesirable that a landlord should be able to sell direct to tenants in the case of a congested estate where it would be practically stereotyping the present state of things. That can be done irrespective of the Estates Commissioners under the zones system. Mr. Finucane recommended and put forward a scheme. I do not know how to describe it except as a gigantic compulsory benevolent experiment. He put that forward.

23497. In his evidence?—Yes, and from his doing that and asking compulsion to do it I draw the conclusion that Mr. Finucane aimed by it to do away with the zones system.

23498. That was your inference?—That was my inference.

23499. Is that the whole basis upon which you rest your charge?—Well, you must remember that I have read every word of the evidence from beginning to end, and it is based on the whole tenor of this Commissioner's evidence, and also on facts that I will lay before you, before the evidence is over, of their action.

23500. We will come to the facts. Am I now to understand, and is the Commission to understand, that you are unable to point to any definite specific statement such as you pointed to in the case of Mr. Bailey, whereby the Commission can form a conclusion that Mr. Finucane has also been on the campaign against the zones?—Now, any lawyer knows that the most conclusive evidence of all is a chain of circumstances.

23501. Would you be good enough to answer my question, whether you can point to any specific statement of Mr. Finucane from which the Commission can infer that he attacked the zones?—I can point to that which is stronger.

23502. Would you be good enough to answer the question, can you point to a specific statement in which he attacked the zones system?—He attacks it in all these.

23503. Can you point to any specific statement?—I will read you all the queries and replies. Take 15606. I have no desire to keep the Commission

23504. But this is a very important matter. You make a certain statement and you must establish it?—I have given you the drift of it.

23505. Sir JOHN COLOMB.—Give me the reference please?—15606. I have given you the drift of his argument in 15606. I do not think I need trouble you with reading the whole of it, but the last few lines—"Therefore, if you are going to improve those estates they must be sold either to the Congested Districts Board or the Estates Commissioners, and not by the landlord to the tenant direct."

23505A. Sir ANTONY MACDONNELL.—That is as the law at present stands?—As the law at present stands.

23505B. CHAIRMAN.—"May I ask you whether, for the reasons you have just stated, you do not think it is a great pity that many estates which have congested areas, and which probably wanted considerable improvement, should ever have been sold direct from the landlord to tenant?—Yes, I do." That answer conveys to me the impression that he desires to do away with the zones.

23506 It conveyed to you that impression?—Yes, because a landlord can sell direct to his tenants without his permission under the zones He says that he should not be allowed to do that, and that he should only sell to the Estates Commissioners or to the Congested Districts Board.

23507 But he was interested at that time in the question of the improvement of the estate?—That is not to the point.

23508. You would not have estates in rundale sold?—That is another question. That seems to me to be more conclusive than anything I read from Commissioner Bailey. He says the land must be improved, and that cannot be done unless it is sold to the Estates Commissioners or the Congested Districts Board

23509. Assuming that, was the landlord thereby precluded from asking from the Estates Commissioners as high a price as he could get?—That is another question entirely.

23510. The whole question is a question of price?—You take me on this and you cannot reply to that.

23511. Then I take it that you cannot point me to any distinct or definite statement of Mr. Finucane?—I have pointed one out to you.

23512 Can you point to a statement on which you base your inference?—That is a distinct statement

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that there is no getting out of, that the property must be sold either to the Congested Districts Board or to the Land Commission.

23513. I only find in that statement that where estates are in rundale, and where it is absolutely essential for the security of the taxpayer and the improvement of the tenant the rundale estates should be striped and put into proper condition, and that the landlord who is unable to do that should sell to the Estates Commissioners or to the Congested Districts Board, reserving his right to claim from them as high a price as he can get from the tenant under the zones. That is not an attack upon the zones?—I am quite willing to leave it with the Commission. I think we may leave it there.

23514. CHAIRMAN.—Perhaps you would now take up paragraphs 4, 5, and 6 in your memorandum?—Yes. The fourth is that the Congested District Board and the Parish Committees have been the most successful organizations hitherto employed to bring hope, help and improvement to those in real need; that their operations have been hampered by want of funds, and restrictions imposed by the Treasury and the Estates Commissioners and certain local doubts and difficulties. No. 5—That the agricultural operations carried on by the Congested Districts Board and transferred to the Agricultural Department were better and more efficiently performed by the Congested Districts Board in congested districts than they have been since they were transferred to the Department. No. 6—That industrial and technical instruction in congested districts should, where possible, be carried out through the Congested Districts Board. The evidence by which I support these conclusions will be found at the top of page 10. The results of the Congested Districts Board's work and that of the Parish Committees are eloquent testimony to the efficiency of those organizations. Passing through the country affected one can see and hear of their success. It would be a crime to discontinue this work or hamper it in any way. It should be encouraged by the grant of greater facilities and more money. The reason of its success is not far to seek. The Congested Districts Board has secured the services of men who command the confidence of the people, and so long as their work is manifestly successful, so long should they be given a free hand. To transfer the work to another Department would be unjust to the men who have devoted time and labour freely to attain the result observable. But besides this, as compared with the Agricultural Department, the principles they work on are dissimilar. The Congested Districts Board brings help to the door of the destitute. The motto of the Agricultural Department is: "We help those who help themselves." They require a rate in aid from the county before they will formulate a scheme in aid of that county, and when formulated it extends over the whole county on the same basis, to rich lowlands and congested areas alike. For example, in Donegal there is a district about Glenties that is a sheep-rearing district. The scheme suitable for the rich lowlands about Strabane is wholly unfitted for this Glenties district. Consequently from the inapplicability and inelasticity of the scheme the amounts voted are not used. One penny rate on the county raises £1,274. The Department gives the equivalent of a 1½*d.* rate, that is £1,911; in all £3,185. In the year 1905-6 there remained unexpended £1,040. No single district expended the amount of its rate plus the grant. This proves the schemes are not suitable. The lowlands are clogged by unions with the congested districts. The latter are starved by being tied to the former. The Congested Districts Board consults the local requirements. The Department makes rigid schemes based on sound principles if applied to districts in which the conditions are uniform. The *raison d'être* of the Congested Districts Board is to bring up the lower standard of life in congested areas to the normal condition, and till this is universal their work should be carried on. Lectures and classes and experimental plots are admirable means of instruction for well-educated and experienced farmers, but you might as profitably talk Greek to a Claddagh fisherman as expect the doctrines and scientific nomenclature of modern agriculture to convey anything to an inhabitant of Gorumna. At the same time I take exception to some of Mr. Doran's evidence as evidencing a want of sound economic basis; and his views on compulsion applicable alike to owner, peasant-proprietor and migrant rather shake my faith in other parts of his evidence that appeared reasonable. Surely he knows Ireland and its people too well to advocate coercion in its most vicious form. Shall I stop there or go on?

23515. That is as far as you need go. You have got the Appendix to our Third Report?—Yes.

23516. Look at page 370?—Yes.

23517. Look at Table G. You will see that the Department has spent £10,800 in seven counties where there is most congestion, as against £1,900 raised by the rate?—I merely referred to what happened in my own county.

23518. Then you were speaking of Donegal?—Merely of Donegal.

23519. Because when you speak of the difference in the work and the difference in the manner in which the Congested Districts Board and the Department work you say the Agricultural Department says "We help those who help themselves. We require a rate-in-aid from the county before we formulate a scheme in aid of the county concerned"?—And expend it over the whole county on the same basis, on the rich lowlands and congested areas alike. That is absolutely correct.

23520. But you see in these seven congested parts they spent £10,800 as against £1,900. Their expenditure has been far greater?—Yes, my lord. They not only allot money to schemes to which I have referred in evidence, but they expend money in other ways, in industrial and co-operative dairying and ways of that kind that are not touched by the schemes that I have mentioned. I merely refer to the county schemes for the improvement of the breed of cattle and this kind of thing that come only through the County Councils. The other schemes will operate direct.

23521. But then the cost of those schemes is not defrayed entirely out of the rates, is it?—No; the rate contributed in our county is a penny in the pound, and the Department's contribution is equivalent to 1½*d.* in the pound. But I am not wishing in any way to reflect on the Department.

23522. You spoke of a certain amount being unused at the end of the year?—Yes.

23523. Was the county you were referring to Donegal?—Yes.

23524. Well there has been trouble about it in Donegal?—Not in this connection.

23525. The county schemes are all right?—The county schemes are all right; they are working. It was not in that connection that there was trouble.

23526. Most Rev. Dr. O'DONNELL—It was on the score of instructors?—Yes, on the score of instructors.

23527. CHAIRMAN.—We heard of county schemes that—I need not go into the reasons—had not been taken up very largely?—Well, so far as the scheme of agricultural instruction is concerned, that scheme was not put into operation. The others were.

23528. Would not the partial failure of a scheme account for their being a balance at the end of the year?—Oh, that had nothing to do with it. The schemes, if you allow me to explain, are what are called the cattle schemes, and giving prizes and sending down bulls and rams and this kind of thing, done, of course, to improve the breed of cattle and things of that sort. In the district of Glenties which is a sheep-rearing district it was quite useless to send bulls down that would be suited to a cattle district like Strabane.

23529. Are you satisfied with the way the prizes for bulls, rams, and other things have been carried out in Donegal at present?—No.

23530. Most Rev. Dr. O'DONNELL.—There was a want of elasticity?—Yes, a want of elasticity. Things are very different in different districts. Congested districts ought not to be treated in the same way as the lowlands.

23531. CHAIRMAN.—You think that kind of work was done better by the Congested Districts Board?—Very much so, and so was the spraying of potatoes, another operation that was handed over by the Congested Districts Board to the Department, much better and more effectively done.

23532. Sir ANTONY MACDONNELL.—The Department have only worked it for two years?—Yes. Those two years have been a failure in that particular. I am not blaming the Department as a whole. I do not want to do so. But the reason is simple. The Congested Districts Board is more suited for congested areas than the Department.

23533. Under its present powers?—Yes, under its present powers.

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23534 Mr. BRYCE.—You do not mean to call in question this principle as to helping those who help themselves?—No.

23535. That is a good principle?—Yes.

23536. That is the principle on which the Congested Districts Board acts in the case of the Parish Committees?—Yes.

23537. So that there is no difference in their principles. It is only in the more elastic machinery?—Yes, because the Congested Districts Board has always presented a great contrast to the rigid lines of the Department, which says:—"You must do so and so, or we won't aid you," "You must make such a county scheme or we won't have it." The Congested Districts Board go to individuals, and get them to help according to their ability.

23538 Sir JOHN COLOMB.—I take it that your position in the matter is that you consider that as poverty districts—I won't use the phrase "congested districts" but the districts afflicted with poverty—do in their nature require special treatment, a scheme which applies to the whole country does not sufficiently meet the special wants of these specially poor districts?—Yes, that is right.

23539. Now, I observe that in this memorandum you say—"At the same time I take exception to Mr Doran's evidence as evidencing a want of sound economic basis," and so on*?—Yes.

23540. Now, that is the statement?—Yes.

23541. And as Mr. Doran is a very important functionary of the Congested Districts Board, I will ask you to give, not the whole of the reasons for taking exception to his evidence, but to name the most salient features of Mr. Doran's evidence to which you take exception?—Well, I could not agree with Mr. Doran in his views as to turning grazing land into tillage. You will find it in No 2318.† It is a question of breaking up grass land and turning it into mixed farming. It runs from 2318 to 2393. And I do not want the Commission in what I am about to say to think that I am opposed to certain classes of grass land being used by men who have competent knowledge of farming. Far from it. But I cannot accept what Mr. Doran says here. He got a very severe examination over it, and he had to shift his ground in it, and in the end I think he failed to prove his point. He stated that more cattle could be raised on a 25 acre farm, which we take to be an economic farm, if the grass land was turned into tillage. Well, any man who knows anything of farming knows that that is impossible, absolutely impossible Grass land such as I speak of would carry a three-year-old to the acre. One hundred acres of that would carry 100 head of cattle. As it is used at present, very often those cattle are changed twice in the year. Consequently it would carry a very much larger proportion than 100. If you divide the 100 acres into four farms of 25 acres each, you will not carry one-fourth of the number of cattle on each. When Mr. Doran got into that position he modified his mixed farming, and he said that by intensive farming it could be done. Well, that is perfectly absurd on a farm of 25 acres. It could not be done. You cannot rear cattle favourably on small plots of land. If, as Mr. Doran says, a farm of 25 acres is to be carried out as a mixed farm, you will only have about 8 acres left for grazing, and I should very much like to see how Mr. Doran proposes in the course of the year to produce 25 cattle on that land, not to speak of the much larger number that can be produced upon it as a grazing ranch, where men have cattle twice and sometimes three times a year.

23542 Then you differ. You think that the breaking up of grazing land and re-arranging it into small holdings would not produce the result Mr. Doran mentions in enabling more cattle to be raised and grazed?—Certainly not.

23543. Then on that general question Do you propose to deal before the Commission with the probable economic effect of breaking up the grazing lands of Ireland, upon the small holders of Ireland?—I think this would be the place where that would come in best

23544. I presume you take such a farm as Mr. Doran dealt with in his evidence at 30 acres?—25 acres is what I take it at.

23545. I will assume 30?—Yes.

23546. Now, you are aware that 72·2 per cent. of the whole holdings of Ireland are not above 30 acres?—I dare say.

23547. There are only 27·8 of the holdings of Ireland above 30 acres?—Yes.

23548. Now, do you consider that those grazing lands—in a much larger proportion, of course, on the larger holdings—are a product of the economic necessities of the small holder?—Well, I think many things have conduced to make them grazing lands, and there they are.

23549. Of course, there is a general tendency of land to go from tillage to grass all over the Kingdom, not merely all over Ireland?—Yes.

23550 My point is that the tendency to go into grass has been present in the small holdings as well as in the larger ones Do you think so?—No, not in the very small holdings. They cannot afford it. They have to till the holding. You must have a run.

23551. Do you consider that by reason of 72 per cent. of holdings in the case of Ireland being under 30 acres the occupiers of that 72 per cent. have to part with their stock before it is matured?—Oh, yes.

23552 Now, do you consider that a market for that stock is provided by the bigger holdings, the remaining 28 per cent. of the holdings?—Yes.

23553. And therefore do you consider that it is a great State question what would be the effect upon the economic position of the small holders if the State by arbitrary means cut up and did away with those grazing lands?—Yes, I think it would make a very great change in the cattle trade, and at the first stage it would press on some people considerably.

23554. Do you think that the result would be only temporary?—Well, it is difficult to answer that I suppose things would always adjust themselves after a time, you know, but at first it would be very marked in my opinion.

23555. But if those grazing lands on those large holdings provide the ordinary market to meet the necessities of the small holder who has to part with his stock would not it be a serious thing to interfere with them—would not you have to take it in this way?—If there was difficulty in the sale of small holders' stock prices would come down.

23557. It might in the end work ruin?—It would make a dislocation in the cattle trade, in my opinion, at first, on a large scale.

23558. You think it would have this effect, that the small holders, who are 72 per cent of the entire, would have to look for other markets somewhere else?—I think they would not have as good a market as they have now.

23559. And not having as good a market, the prices of their produce would probably fall?—Probably.

23560. And it is on the prices of produce that their welfare depends Is not that what you say, and is not it equivalent to saying that the doing away with those grazing lands of the larger holdings may affect the money they get for their produce?—Certainly.

23561 Then do you consider that a great State question or do you not—I ask you for your opinion—do you or do you not consider that it is a great State question whether, as those 72 per cent. of small occupiers are to become tenants to the State for 68 years, the State should be very cautious before it adopted a policy that might have the economic effect of depriving the small occupiers of their present market that now exists under present conditions?—I think it certainly should only be done after very careful inquiry.

23562. Have you ever known anybody to give any facts or basis for the opinion that it would not interfere with the prosperity of the small holder in Ireland, the doing away with the grazing lands?—I did not

23563. Now, the objection you take to Mr Doran's evidence is primarily this question about grazing lands in relation to stock?—Yes, I do not think that is economically desirable.

23564. Is there any other very important or very material point that you wish to bring before the Commission, on which you found the exception you take to his evidence?—Might I say this before passing on to the next question, that the natural answer that would be made by anyone on the other side to the side I take—the natural answer that would be made by anyone is, "Don't you know very well that when you lay down grass land" (I am speaking of the Meath lands, the fattening lands), "don't you know very well that when you lay down grass land, for the first few years it would carry half as much cattle again as it carried before?" I am perfectly aware of that, but making allowances for that, and setting off against it the small quantity that is available for grass on a mixed farm,

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* See p. 234.

† Appendix to First Report [Cd. 3267, 1906], p. 97.

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you will find that a 25-acre farm valued at about £10 valuation will not carry more than about 14 head of cattle on 25 acres, and four farms of that size will carry four times 14, or 56 cattle, as compared to the 100 that are on the 100 acres in grass, not to speak of the 200 if the man who owns it, as is generally done, runs it twice in the year. That is the greatest allowance I can make for a mixed farm of 25 acres—14 head of cattle.

23565. But during the process of maturing cattle is not it essential that the cattle should have a larger run?—Oh, certainly.

23566. And that is unattainable if the grazing lands are all cut up into small holdings?—Quite; and the system of mixed farming in Belgium that was laid before you in evidence is wholly unsuitable to this country. It seems to be a very pertinent circumstance in connection with it, that of sunshine. Of course we have not a climate that would allow you to grow what are called stolen crops. In Belgium and Flanders they grow three crops in the year, and we cannot do it, and neither the climate nor anything else is suitable for it. Besides that, they have absolutely industrial habits, the result of long experience, which we have not here. I have myself seen in France one peasant leading four harrows with two horses to each harrow covering land as wide as this room.

23567. I do not want to go too much into detail?—And that makes me believe that the ideas put before your Commission about mixed farming in Ireland are very dangerous.

23568. Now, you have gone back to the question of mixed farming, and your primary objection to the contention of Mr. Doran. Have you got any other grounds with reference to which you also take exception to his opinion—I do not want to go into mere details?—This is an important one at 2270. Mr. O'Kelly asked the question:—"Suppose you were confined to these lands held under the 11 months' system, would your operations have had the most infinitesimal effect upon the problem?" The answer was:—"I do not think it would be worth getting compulsory powers to purchase if they only applied to untenanted land—that is, land held under temporary lettings or in owners' hands." And he goes on to advocate compulsory powers for taking land in excess of 25 acres from the new peasant proprietors. Well, if you want civil war, I think that would be a mild term to apply to what would happen if that was done in Ireland.

23569. Most Rev. Dr. O'Donnell.—Does he speak of non-residential holdings?—The next question is:—"Am I correct in assuming that three-fourths of the non-residential land is held on the 12 months' system and judicial leases?" The answer is:—"Of the tenancies classed as permanent tenure in the return handed in, a great many are what are called future tenancies—that is, tenancies commenced since 1881, but although they are yearly tenancies they cannot be determined without payment of compensation; but the compensation the future tenant is entitled to receive would be very much less than what a tenant holding under a judicial tenure would be entitled to get."

23570. I suppose it is admitted that a great deal of the land used as grass land in large holdings would be better in tillage?—Yes.

23571. Do you think that the breaking up of fattening land is a desirable thing in an economic sense?—Finishing land?

23572. Yes, finishing land?—No.

23573. Therefore, whatever the area of untenanted land now used for grazing may be, in taking what is available for the purpose of migration you would deduct the finishing land?—Certainly.

23574. And would you take the land that would be better in cultivation?—I think that would be suitable land to transplant migrants to if they had the proper amount of agricultural knowledge.

23575. Sir John Colomb.—But land suited for permanent pasture and not deteriorated by constant use as permanent pasture, ought to be reserved, you think, in carrying out a migration scheme?—Certainly. I believe that fattening land ought to be reserved.

23576. Therefore it is your view, with your present experience of the Land Act, that the kind of untenanted land now used as grazing, which is available for the purpose of migration, is land of that character that would be better broken up than left in pasture?—Yes, provided that the migrants that were put in were capable of doing that.

23577. Of course, but that is the problem of migration approached by the Commission. It must obviously take into account the quantity of land available to bring up migrant tenants to, must it not?—Yes.

23578. And am I to take it as your deliberate opinion, with your knowledge, that the area of land to be considered as available is only the land now in pasture that really ought to be broken up?—Yes.

23579. Now, I suppose that concludes your main objections to Mr. Doran's evidence?—Yes.

23580. I am sorry to have kept you so long?—But there are others.

23581. Can you suggest any means by which the whereabouts of that land can be ascertained?—It is only by inspection.

23582. In your opinion, the only way the Commission can get an estimate of where this land is and the amount of land that should be broken up is by having personal inspection carried on?—Certainly. Yes. I think tables and returns are often most misleading without any intention to make them so; very often misleading. Personal inspection is the only possible way of knowing.

23583. And finally, I want to get as clearly as possible what is your opinion. Do you consider that the question of breaking up even the lands you speak of, now used in pasture, may be a very grave economic question and affect 72 per cent of the total holdings of Ireland, all the small holdings?—Certainly.

23584. Sir Antony MacDonnell.—Mr. Boyd, you say that if the grazing lands are cut up into small holdings there must be fewer cattle reared in Ireland?—If the farms are used on the mixed system.

23585. Then am I to understand that the same number of cattle cannot be reared in Ireland under a system of 30-acre farms that are reared at the present time on the system of cattle ranches?—No, they cannot.

23586. May I call your attention to the following paragraph from page 306 of a book called "Ireland Industrial and Agricultural"? The paragraph reads thus:—"It is noteworthy, to introduce a comparison with a foreign country, that whilst the area under crops and pasture in Ireland is over eleven times the similar area in Belgium, our herds of cattle number only slightly over three times as many as those of that country. No doubt it is generally recognised that with a system of small farms such as is carried on in Belgium more cattle can be raised to the acre by means of tillage and house-feeding than on the grazing system." How do you reconcile that statement with your view?—The conditions of the countries are wholly different, and the character of the tenants.

23587. Now, I will put you a question on the conditions of the country. We have it in a statement, here in evidence by Mr. Finucane at page 114 of the Appendix to our Third Report, question 15531, in reply to Sir John Colomb. He is asked:—"Is not the system of Belgium really dependent upon tillage, upon the nature of the crops produced?" and in his answer he says, "Take Switzerland. I have been in both Belgium and Switzerland. The land is very bad, although the hill-sides are beautiful. The land could not be compared with Ireland but the number of fat cattle produced is greater than in Ireland." Now, let me add to that his reply to question 15543 on the same page, where Mr. Finucane says, towards the end of his answer:—"All the standard books that I have read all agree that the conditions in Ireland are far and away better for the production of crops for house-feeding than in Flanders, Belgium, and Switzerland." Now, if that evidence is to be relied on or believed, we have it stated that all the standard authorities there quoted—he produced a book, and I can get this later on—show that for stall-feeding Ireland affords a better field than Flanders, Belgium, or Switzerland, and we have it that in Switzerland, with its adverse climatic conditions, there are more stall-fed cattle than in Ireland. The inference pointed to is contrary, I venture to say, to what you suggest, and is in favour of the view that by stall-feeding you can have a much larger number of cattle reared in Ireland than are reared at the present time, and that stall-feeding would of course necessitate the distribution of the grass lands into small farms, whereby the root crops might be produced. That evidence is reinforced by the evidence given to us by

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Professor Campbell, so that so far as the matter is now before us you have the authority of this book, and you have the statements of those two witnesses opposed to your statement that the system of large ranches or large runs is necessary for the production of even the existing number of cattle in Ireland?—Do you want to know my answer?

23588. We should be glad to hear it?—I have read Mr. Finucane's evidence on agricultural matters very carefully, and the opinion I have formed is that he is absolutely ignorant of all practical matters of agriculture, and that he has made up his knowledge from books. And I may say this, without meaning the least discourtesy to you, Sir Antony, that you have shown the same in what you have now put to me; and I will tell you why. The question you put to me dealt with cattle on grass ranches in Ireland, but the quotation that you are giving me from Mr. Finucane's evidence about Switzerland is about stall-fed cattle. Stall-fed cattle can never be turned out to graze in Meath. My conclusion is, and there is nothing that you have read there to oppose it, that if the grass ranches in Ireland are sub-divided into farms of 25 acres and used on the mixed system, they cannot produce cattle in equal numbers, and I go the length of saying any class of cattle in equal numbers to what the lands of Ireland will in grass, for this reason. In Switzerland they have not got a damp climate, which is a great encouragement to the growth of good grass, and on grass ranches which are properly managed there is very good grass, and therefore you have a very large number of that particular character, while in Switzerland and Belgium they have a climate such that they cultivate and take three crops in the year out of the land. We have not; which at once reduces our resources for feeding purposes by a third.

23589. Sir Francis Mowatt.—Three crops of roots?—No, no; what are called stolen crops. Why, in Belgium you will see them ploughing the land for the next crop before the stooks are off the land. I have seen it with my own eyes. There is another matter. They are industrious, and that is the most important factor of all. Do not think that in saying this I am wanting to reflect on my countrymen. I say that the most important factor of all is that you have not got the natural character of the people nor the result of agricultural education in the technical manner that has been given by the governments of those foreign countries, thus enabling them to attain the point of necessary knowledge by which they can cultivate the land, even if all the conditions were similar to this country.

23590. Sir Antony MacDonnell.—Well, at all events, the evidence of these gentlemen, including Professor Campbell, who must be taken as an expert, and reinforced by this publication of the Agricultural Department, is to the effect that under a system of small farms you can rear and prepare for the market a greater number of cattle than you can prepare under the existing system of grazing farms?—In Belgium and Switzerland?

23591. In Ireland, I say?—They do not say that.

23592. Yes, they do. I do not wish to put it any further, but merely in order to bring under your notice the conflict that exists between your evidence and their evidence on this point?—I think that the conflict exists between the views of a man who has theoretical knowledge of the subject and a man who has practical knowledge of farming and more or less makes a living by it.

23593. If you look at Mr. Doran's evidence, I think you will find that he gives chapter and verse on this question?—I have that here, if you wish.

23594. Most Rev. Dr. O'Donnell.—I gather that it is your view strongly that the best economic use of the best class of Irish land is to leave it in grass?—Yes.

23595. Have you formed any opinion as to what is the best use of second and third-class land apart from the question of whether the people are now sufficiently educated to turn it into tillage or not?—Unquestionably, third-class land would be better tilled if it is suitable for it, and some of the second-class land also would probably be better tilled.

23596. You would then agree that the best economic use of Irish land would require a great deal of the land now under grass to be farmed on a mixed system?—I think it would be an improvement to the wealth of the country if they knew how to do it.

23597. I cannot pretend to have a practical knowledge of the mixed system, but I should like to get something more of your view with reference to the twenty-five acres' farms. You spoke of the peasants in Belgium using the plough while the stooks are on the fields?—Yes.

23598. Do you sometimes see the farmers of the Lagan taking to plough before the end of August, while the stooks are still in the fields?—I do not remember ever having seen it.

23599. I have seen it. That is as well-farmed a part as there is in Donegal?—Very possibly they might. In doing that they were not doing it to get a stolen crop. They were doing it for the winter corn or something of that kind. It was not to get a third crop out of the land. I have not seen that in Donegal.

23600. They were doing it to make the soil as suitable as possible for the ordinary rotation of crops?—Quite so. It would require a cross-ploughing after that.

23601. Is there anything to prevent men in that district with twenty-five acres of good land carrying on a system of stall-feeding?—No, except the economic condition whether he thinks it will pay or not. Some men do it and some do not.

23602. The general conditions existing there would enable them to have as good cattle on the twenty-five acres as if the twenty-five acres were grass?—I do not think so.

23603. Suppose one of these men grows turnips, mangel-wurzels, or other crops used generally for stall-feeding purposes, do you not think that under a good system of rotation of crops twenty-five acres would carry as many cattle as under grass?—Honestly, I do not.

23604. You are aware that that land is not first-class land?—Yes; but even though it did not carry so many cattle it might be an improvement to the land to do it. In stall-feeding you get good manure for the land, and all that. They might in other ways compensate for the loss per head of cattle, through dairying and that kind of thing.

23605. Sir Antony mentioned Mr. Doran's evidence. He is, like yourself, a practical farmer. He did tell us from his own experience that the rearing of cattle on that class of land, and stall-feeding, are very profitable?—But you know very well when a man sits in this chair, unless he has someone with a practical knowledge of the thing to cross-question him, he can say a great deal.

23606. You have the great advantage that if I am cross questioning you I certainly have no practical knowledge?—I am not casting any imputation on Mr. Doran. I think he is one of the cleverest men in Ireland.

23607. I gather this. Whether 25 acres under a mixed system would carry as many cattle or not, on that class of land of which we have been speaking, a mixed system of tillage would in an economical way be the best system?—I think so. It would increase the wealth of the country.

23608. You also, I think, very rightly observed that a county scheme that would be quite applicable in a rich district like Strabane would not apply in Glenties?—Yes.

23609. Surely it would be your view, also, that whatever body applies a scheme in Glenties, in that large rural district, no matter how composed, it should be a local body that would apply it? Let me take Glenties or Belmullet. If the scheme were put into operation in those places those who were putting the scheme into operation should not have to go excessive distances once a month to carry out their scheme?—Certainly not. It should be local.

23610. You would require practically a distinct scheme worked from a centre accessible to those working it?—Certainly.

23611. You have been glad of any industries that have been spread in those poor districts?—Very glad, and have seen great benefits resulting from them.

23612. I must ask you this question. You have been through the congested districts?—Yes.

23613. Would it be true to say that any new industries introduced into them have been introduced by the Congested Districts Board?—Certainly.

23614. Did you hear of any other body introducing any new industry into any locality?—I did not.

23615. Others have imitated the industries brought in by the Congested Districts Board?—Yes.

23616. That is a most useful thing?—Yes.

23617. As a matter of fact, both the industries that have been introduced and the Parish Committees are the creation of the Congested Districts Board?—They are, and most valuable work they are doing in many places that I have been in.

23618. Sir Antony MacDonnell.—I must call your

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attention to a question of the Chairman, Number 2364A, to Mr. Doran, in the Appendix to the First Report page 98. His lordship said:—"What I don't understand is if the poor land under grass was broken up how will it increase the value of other lands similar to it, always supposing such grass is useless for fattening purposes?" The reply was.—"Perhaps this is the best way I can explain. The fact of putting on existing grass lands a number of farmers will not reduce the number of stock which these grass areas maintain. I said the number would rather increase, that more stock can be raised on the same area than is now raised by the grazing farmers who do nothing to improve the land." As his Lordship the Bishop said, Mr. Doran is a practical farmer. You, I presume, are a practical farmer. Therefore we have this direct conflict of opinion between you both?—You must bear this in mind in dealing with that that I have had a great cross-examination from you over it, and I don't think you have altered the views that I put forward.

23619. Mr. Bryce.—You said in answer to Sir John Colomb that it was a great advantage to have a large run for cattle. You could get over that objection in this way if you were breaking up a farm of 100 acres, say, into four farms of 25 acres. Say there were 32 left in grass, that grass land if it were permanent pasture might be held in common?—I don't call 32 acres much of a run for cattle.

23620. According to you the larger the run you had the better, and in that view it would be better to have 32 acres than 8 acres. You could arrange it better if the four men held the permanent pasture in common?—It would be an improvement.

23621. You don't think there would be very much difficulty about that?—No, as far as it went. But I am talking of a run on mountain land, say, 100 acres or more. In Mayo and Galway I noticed some very fine mountain cattle, on heathery grazing, very fine cattle.

23622. Mr. Kavanagh.—You were condemning the schemes of the Department in Donegal?—As applied to the congested districts.

23623. As applied to the whole county. Are not you aware that the County Committee really have the power of formulating their own schemes?—They may submit a scheme, but it rests entirely with the Department whether they accept it or not.

23624. Have you ever known it overruled by the Department?—Yes. The County Council of Donegal would have preferred a different scheme applicable to certain districts, to what would be applicable to other districts, and the Department would not have it on any terms.

23625. In what way?—In the Glenties district they would have liked something sent for the improvement of sheep, and not the same class of cattle as were sent to the rich lowlands near Strabane, but the Department would not agree to it.

23626. Was the scheme overruled?—Yes. The scheme on which the Department acts is one scheme for the whole county.

23627. But it is in the power of the County Committee to formulate that scheme and put it before the Department?—For approval; but it must be on that basis.

23628. I don't think so?—It is inelastic. It is an excellent scheme if you get a uniform county to apply it to, but the condition of the congested districts is very different from that of the rich lowlands, which require very different treatment.

23629. I thought that the only point as to which they differed was that regarding the agricultural instruction which is paid entirely out of the Department's money?—That does not come under the scheme I am speaking of. I am speaking of the cattle scheme.

23630. Sir Francis Mowatt.—May I take it that the Department never modifies its schemes to suit different parts of the county, but that one scheme has to be applied throughout the county however different the conditions of the different parts of the county may be?—That is so, if you will bear this in mind, that in speaking of the county scheme I refer to the cattle scheme. It does not embrace the Agricultural Department's operation in the county in things like creameries, in instruction in different kinds of industry. The scheme which I speak of as uniform and on a rigid basis is one for improving the breed of cattle in the county.

23631. Am I to take it that in your county in which bulls are supplied by the Department *ex-hypothesi* no sheep whatever are supplied?—They are also giving sheep, but it will be uniform over the whole county. Bulls will be sent to Glenties where they are not required perhaps, and sheep sent to Strabane where they are not required.

23632. Whether rams or bulls are sent to a district does not depend on the condition of the district, but upon one general system uniform through the county?—That is the way it works out.

23633. I want to ask not how it works out, but is it admitted, that it is the declared plan of the Agricultural Department that there should be no modification in the supplying of the animals in the different districts in a county according to the conditions of those different districts?—I would not like to put it beyond my own county with which I am familiar.

23634. That is so in Donegal?—That is so in Donegal.

23635. Mr. Kavanagh.—As a member of a county committee you may take me as saying that it is different entirely in other parts of Ireland?—I speak only of Donegal.

23636. Chairman.—I don't want to take you over the ground again in regard to the number of cattle if the grass lands are broken up, because there seems to be a distinct conflict of opinion on that subject between you and other witnesses whom we have heard, but I want you to explain to me why you say that apart altogether from the number of cattle raised, if the grass lands were broken up the men who rear the cattle would not have as good a market as they have now?—The way things are at present is this. There are good finishing lands. There are also different classes of grazing land, and probably grazing land below finishing is what produces what is called forward stores ready to go on the Meath fattening lands. There are inferior kinds of grazing below that. If much land of the best of the second class quality is broken up it will be very hard to put cattle in a condition in which the Meath men will buy them, and I would be very slow, if my advice were asked, to break up large quantities of the best class of store land. The inferior grazing land could be broken up with great advantage, because if that good land I speak of is broken up there will not be a demand then for the small cattle from the men who rear them, and who want to sell them young.

23637. It seems to me your argument amounts to this: if you break up this good store land the result would be, in your opinion, that there would be a gap between the man who rears and the Meath finisher?—That is so.

23638. But I think you told Sir John that, in your opinion, things would right themselves by the fact that Scotchmen and Englishmen would come in and buy these cattle?—But not at the same prices.

23639. Why not?—Because they have to pay the carriage of the animals over the Irish railways and across the Channel.

23640. The cattle have finally to bear the freight?—Yes, but in the meantime they are on the Meath lands.

23641. Does it make any difference as far as price is concerned whether the cattle are grazed in Great Britain or on the Meath lands?—Yes; great. The value of cattle increases proportionately much greater the better the feeding they get. It is the last few pounds that are put on that really tell in the price of cattle.

23642. The freight has to be paid in each case?—But you have a better price to pay it out of. The man who fattens cattle in Meath will begin buying in April at the fairs, and he will take nothing then that is not well forward, and he will very likely get out of those cattle in May or June. These men won't buy anything that they don't see their way to make a turn over of in three months' time. When they get these off their hands they get another lot. They get two or three lots during the season off those lands. That is why they can afford to pay good prices and make a good profit out of it.

23643. Cannot the English buyer pay the same price?—Coming over here.

23644. Yes?—No.

23645. Do you mean to tell me that a great many young cattle are not shipped straight to England or Scotland? We have heard in Donegal that they don't go to Meath?—Not from Donegal.

23646. Or from these middle lands?—From Roscommon they do.

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23647. The cattle from these grazing lands in Roscommon don't all go to Meath. Some go to England?—Yes.

23648 Is there any difference between what the Meath man and the Englishman pays?—I have no personal experience of that I have not been cattle dealing there. I should say according to common sense there ought to be.

23649. Anyway you have had experience of it?—Not personal experience.

23650. Take the cattle a stage younger. Take the people round you who raise the stock on their small holdings and sell it before the winter. Where do those cattle go? Do they all go to Roscommon lands?—No. They are bought very much locally, or go to adjoining counties.

23651. Do any of them go straight to England?—If you are speaking of one and a half year olds none go at that age. Between two and three year olds are taken over to England.

23652. Do none go over to England under one and a half years old?—There may be a few—not many.

23653. There are none at all under one and a half years old?—Very few.

23654. Sir John Colomb.—You mean proportionately few?—Actually few. I don't think there are many of that age sent to England.

23655. Sir Francis Mowatt.—England or Scotland?—Some go to Scotland.

23656. Chairman.—Is there any difference in price between those that go to Scotland and those that go to other parts of Ireland?—That is not a rule you could lay down—cattle differ so enormously in value as you go to buy them.

23657 Take it generally?—You cannot take things like that generally, for the reason that unless you get two beasts in exactly the same condition, of the same shape, size, and promise of improvement you cannot compare one thing with another. It leads to another mistake.

23658. Can you take an average price of the cattle which are bought by Scotch buyers and go to Scotland and similar cattle which are bought by Irish buyers and remain in Ireland?—I could if I had known it was wanted. I could have formed a good judgment; but I have not looked into that.

23659. My point is: taking an average of that sort is there any difference in the price paid to the original rearer by the Scotchman and the Irishman?—I believe there would be. The Irishman will not have the same expenses as the man who will have to bring the cattle over to look for a market in England or Scotland, and having it for a little less the price will be so much improved.

23660. These animals are bought in local fairs?—Yes.

23661 Therefore the man when he brings in cattle to a fair has not the smallest notion whether he is going to sell them to Scotchmen or local men?—He sells to the best bidder he can find.

23662. He does not keep it for one particular market?—No, but these young stock are bought by farmers or by graziers who keep them for a year or more, and then sell them for a profit.

23663. But they will be in the open market in face of the open competition both of English and Scotch buyers?—Very few Scotch or English attend. It is generally local men who take them over to Scotland. I never saw a Scotch or English buyer in Ireland at our local fairs. Local dealers take them over, and come back and take over more.

23664. I have here the return of the Agricultural Department for 1904, which shows that a great number of store cattle were exported in that year: 115,000 from Belfast, 33,000 from Cork, 136,000 odd from Dublin; from other ports, 185 000. The total export from Ireland was 471,000 store cattle?—They are over two-year-olds.

23665. These are over two years old?—Yes

23666. Take the export of calves. They were: 884 Belfast, 39,510 Cork, 10,587 Dublin?—How many from Londonderry? That would be the port of the county I am speaking of.

23667. Other ports, 11,987, almost all from Londonderry or Waterford. The total is 62,968 calves exported from Ireland. These would be under a year old?—I should think so.

23668. That is a considerable number?—Yes. It is not a trade that is much done in our port.

23669 Is it an unfair question to ask you when you get such a large number as 62,000, whether there is any difference in the price paid to the original men for those 62,000, compared with the prices paid for the others that remained in Ireland?—I think it stands to reason that the price must be cheaper when there has to be carriage paid to bring them to market.

23670. If the price was materially cheaper would there be such a large number as 62,000 sent over then?—Unless they failed to get a market here.

23671 That is a curious thing to say. Would you really commit yourself to the opinion that the reason why 62,000 calves were exported in one year was the fact that there was an insufficient market in Ireland for them?—That would all tend to show that the grazing is not excessive.

23672. Would not it mean also that lands of this class in Scotland and England have to be filled up and that the owners of these lands, or the dealers in connection with those owners buy largely from the owners of Irish reared calves?—It shows that.

23673. Is it likely when they have to buy in the open market in competition with the Irish buyer that the prices materially differ?—If there is a demand in Ireland, but Ireland is a small place.

Sir John Colomb.—The number of calves in Ireland in the year 1904 was 1,117,027, out of which only 62,000 were exported.

23674. Chairman.—It seems to be extremely doubtful if so many calves are sent out of Ireland every year that the prices paid for them can be materially less than the prices paid for those that remain. If that is so I don't see in the least why the English buyer and the Scotch buyer should not in future years give quite as good a price as the Irish buyer does now?—I think it stands to reason that if a man who is from the adjoining county goes into a fair to buy cattle he will give a better price for a particular beast than the Scotchman will offer who has to take it to port and ship it, paying the freight to Scotland, and run the chances of the market there, and keep the beast in the meantime. There must be a considerable difference in the price which will be got for the same beast in those circumstances

23675. It may be right, but I don't see it in the least, because if the beast has finally to pay the freight it does not seem to make any difference whether the freight is added to the cost at the early stages or the later stages of his life. However you may be right. There is another point. Do you think it is advantageous generally over Ireland that the cattle trade should be gradually regarded as the only trade in the country, the only agricultural industry?—Certainly not.

23676. Do you think there is any reason to suppose that Ireland has gone too far already in rearing cattle?—Unless what you have mentioned there about the calves being exported. I think that is a very remarkable fact. Except that I know of nothing.

23677. Do you yourself think, for instance, if Canadian stores were allowed in it would make any difference to the cattle trade in Ireland?—It would.

23678. Would it be a small or large difference?—I think it has been very much exaggerated, because exactly the same arguments were used against the repeal of the corn laws, and they did not prevail in the end. But I think it would make some difference.

23679. You don't think it would make such a difference that people would be ruined over it or anything like that?—No, I don't think so.

23680. You view the importation of Canadian store cattle fairly calmly?—I would not like to see it at all.

23681. If it is not going to make much difference?—I think we are low enough.

23682. The price is low enough?—I think the condition of Ireland is low enough in the sense of prosperity. I would like to see all the improvements that were possible rather than anything that would tend to depreciate it.

23683. If you don't fear any bad or serious result from the importation of Canadian cattle why do you think it a mistake that Ireland should have a larger cattle trade than it has got at present? Why do you think that there should be a limit put to it?—I did not say there should be any limit; but I think there has been an exaggeration in some of the evidence laid before you. Certainly I prefer seeing Canadian cattle not admitted into the country.

23684. I understood you to say just now that you agreed that there was a limit to the development of the cattle trade in Ireland, that is to say it would be a pity if, to the exclusion of all other agricultural

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operations the cattle trade were developed?—Certainly.

23685. Why do you think that there is no danger to be apprehended from the importation of Canadian stores?—Because under a proper system of mixed farming I think the wealth of the country would be increased; but it must be under proper conditions, with suitable cultivation applied to suitable land.

23686. Mixed farming?—Tillage.

23687. Would you say that the size of the cattle run in Ireland on these small farms would be large enough to allow the cattle to be reared properly?—I would be afraid not.

23688. Is the size of the run any larger on these small holdings?—Very much, because they have the land on the mountain.

23689. In Belgium and Switzerland?—There they feed in the houses. It is a different system, wholly inapplicable to this country.

23690. You have told us the reason you were against breaking up the lands into the same sort of holdings as exist in Belgium and Switzerland is because the climate of those countries enables the people there to grow so many more crops for feeding that they are able to make a profit?—Yes.

23691. In addition to that you told us that another reason why you thought the Irish would not be successful was because the run would be too small?—Yes.

23692. Apart from the question of climate and growing crops, how is it that they succeed in these countries with small-sized runs that would prevent them from succeeding in Ireland?—You cannot consider the question apart from the conditions surrounding it. The crops grown enable them to feed cattle in the house. Those crops are grown through climatic conditions and other things in the country.

23693. And in Switzerland and Belgium they can grow three crops, whereas in Ireland they can only grow two in the year?—That is the case.

23694. To that extent of course if that is true the Irish holding suffers, but both would be conducted on the stall system—would not they?—Mixed farming in Ireland can be.

23695. These Belgian holdings are on the stall feeding system?—Yes.

23696. The difference would be that in Belgium and Switzerland you would get three crops off the land and in Ireland you would only get two?—Yes.

23697. They would both have stall feeding, both have runs say of 10 acres of grass for the cattle. Why is it that the 10 acres of run in Ireland would be insufficient as a run while the 10 acres in Belgium are sufficient?—Where I spoke of the run not being sufficient of course I was not dealing with stall feeding at all. I was dealing with the class of cattle that go on to the Meath lands, cattle out on grass. If you deal with stall-fed cattle they are not suitable for Meath lands at all, but would go direct over to England.

CHAIRMAN.—That is surely rather important. I think you must have misunderstood Sir Antony. Sir Antony I am sure had stall feeding in his mind when he was questioning you about the possibility of these small people rearing cattle.

SIR ANTONY MACDONNELL.—Certainly.

23698. CHAIRMAN.—And if it is possible for these people by stall feeding to keep their cattle until they are in a condition to send them direct to England or Scotland as finished cattle where is the economic loss that Ireland would suffer from breaking up the grass land?—Who would supply the man in Meath?

23699. The Meath man might have to do the same?—That land is not suited for it.

23700. SIR ANTONY MACDONNELL.—Not suited for tillage?—No.

23701. What about Mr. M'Cann's experiments?—That is at Telltown. That is wonderful, but that is not the best fattening land in Meath.

23702. CHAIRMAN.—Leaving Meath out of it, I think the point of Sir John Colomb's theory was this, that if you broke up the lands in Roscommon and other similar lands there will be small demand for the stores raised by the small holders in the West and in the poorer districts of Ireland?—Yes.

23703. Excluding Meath, Kildare, and those counties altogether from the argument for the moment, that is his point and you agree with it?—Yes.

23704. You have just told us that it would be possible by stall-feeding to keep these beasts upon the land you have broken up, say in Roscommon, long enough, in order to prepare them finally for the English market?—Yes; if the men are competent to do that you can keep them.

23705. If that is so, how is it you agreed with Sir John Colomb?—I am very anxious to explain my meaning to the Commission. My point with Sir John Colomb was this. The 100 acres of grass lands in Roscommon will carry, we will say, 100 head of cattle, or one to the acre. If you break that up into four farms of twenty-five acres each, I don't care what system you adopt, stall feeding or any other, you will not carry as many head of cattle. The result is there won't be a great demand for the men who are rearing calves by the farmers in Roscommon, to go afterwards to Meath, because the men in Roscommon would be under a different system from what they are under now, under stall-feeding they cannot keep so many beasts, and by so much will be reduced the demand for the men who are rearing. If you take 100 acres of grazing land in Roscommon, and break them up into four farms of twenty-five acres each, the men on these farms, if they have the knowledge how to cultivate them successfully, can stall-feed cattle, but not in such numbers as could have been grazed on that holding of 100 acres if it had been kept under grass. Consequently there will be a lesser demand, and the price of the young stock reared by the small farmers will go down.

23706. Let me re-state your position as I understand it. You say that when the land has been broken up there will be no difficulty in the Roscommon farmer through the medium of stall-feeding keeping his stock until it is finally ready to go to the English markets?—There is the greatest difficulty in doing it. It takes the greatest experience and knowledge to do it without dead loss. He can do it if he has the necessary knowledge.

23707. It can be done?—Yes.

23708. The beast can be kept on the small holding by a system of stall-feeding until it is ready for the English market?—Yes.

23709. The only difference between the state of things resulting from doing that and what exists now is, in your opinion, that the farmers would not be able to keep as many cattle as they do now by grazing, and that therefore to that extent the demand would fall off, and the market of the small man suffer?—Yes. More than that—there is the man you have left out. There would be no supply for Meath, the fattening lands of Ireland.

23710. It does not help us much to quote one man against another, but you get a direct conflict of opinion between yourself and Mr. Doran. Take Question 2364A*. His answer to me was:—"Perhaps this is the best way I can explain. The fact of putting on existing grass lands a number of farmers will not reduce the number of stock which these grass areas maintain. I said the number would rather increase, that more stock could be raised on the same area than is now raised by the grazing farmers, who do nothing to improve the land"?—I would like very much to have a conversation with Mr. Doran on that subject.

23711. In his view, at any rate, the effect of doing that would be to keep as large a head of stock as they can do now upon the grazing farms, and you have told us, too, that the stock can be kept by stall-feeding until it is ready for the English market?—Yes.

23712. This is Mr. Doran again:—2318: "I don't take that view. I think if you got 1,000 acres of the lands of Roscommon, and disposed of them in, say £20 or £25 holdings of about thirty acres in the occupation of working farmers the stock which they would raise on these farms would exceed the number fed upon the same area now, even though they had a portion of the farms under cultivation, because in nearly all these cases there is a portion of land capable of improvement. The people would naturally attend to the drainage, cultivation, and improvement of the inferior portion. They would thereby increase the capacity of a given holding to carry more stock. Generally the effect of keeping a portion of the land under tillage would enable them to feed a larger number of stock in the winter, and I have not the least doubt that I could satisfy you by figures that a given area parcelled out into holdings of about £25 annual value would feed more store cattle than the same area as now managed"?—There is no contradicting that last sentence. It would feed more store cattle. Store cattle are not stall-feds. He mixed the thing. You

* See Appendix to the First Report of the Commission [Cd. 3267, 1906].

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will find in several of the questions there is a mixture of the words used that makes the whole thing a little difficult to understand.

23713. When he talks about feeding more store cattle you would say his view would be to keep those store cattle, and send them to Meath lands?—His view would be this. Put the man on the grass lands, and he will keep them as grass lands, and just till a few roods for potatoes for himself and his family.

23714. He is talking of feeding?—Then he should not use the expression "store cattle." Perhaps he means stall-fed. Of course, there would be a difference of opinion. Farmers proverbially differ.

23715. You talked about a stolen crop?—It is something taken between two other crops, so as to get the most out of the ground. It is done in intensive farming.

23716. Is that the same as what they call catch crops?—Yes; rye, vetches, and those things. Very often a heavy crop is got between two other crops, but it requires land to be very well tended to do that. It is useless to talk of intensive farming by migrants who don't know the first principles of farming, and who would take twenty years to learn.

23717. Sir Francis Mowatt.—Those catch crops are generally very light?—Sometimes you get very heavy crops of vetches.

23718. At the expense of the next crop. If you get three crops elsewhere as against two crops in Ireland you don't get one-third more?—This land must be very heavily manured.

23719. That cuts two ways?—They do it by keeping the cattle in the house.

23720. Sir John Colomb.—In answer to me at Question 2336 Mr. Doran said—"I say the rich fattening land of Ireland, no matter where it is, is not suitable to settle small farmers on."* You entirely agree with that?—Yes, quite.

23721. Therefore, that confirms your opinion that in considering the area of pasture land available for migration the fattening lands must be deducted?—Yes.

23722. As well as the very inferior lands that would not pay if broken up?—Yes.

23723. Sir Antony MacDonnell.—We are not to understand that successful farming cannot be practised on fattening land. There is the case of Mr. M'Cann's experiments?—Do you mean tillage?

23724. I mean tillage?—I am not aware that that is what would be called fattening land, but I believe it has been very successful. It has the great incentive of a very high rent.

23725. Was the rent unusually high?—£3 an acre.

23726. Mr. Bryce.—Do you think after all that this discussion, which has been rather long, although extremely interesting, is really a matter of very great consideration to this Commission, because you have admitted, in answer to his lordship the Bishop, that economically, from the point of view of National wealth, the breaking up of these grass lands will be the best thing for Ireland; that whatever dislocation of the cattle trade may occur at first, in the long run, I understood you to say, it would be the best thing for the country?—Of certain grass lands, but not all.

23727. The Roscommon and Westmeath lands?—Not the Westmeath lands. They are the fattening lands that would be ruined.

23728. You class Westmeath with the best of Meath?—Not with the best Meath, but anything that is suitable for fattening ought not to be broken up—that is anything that can finish cattle.

23729. Short of that you agree with Mr. Doran. Do you think that economically the best thing for Ireland would be to break up these inferior pasture lands?—Some of them. I thoroughly agree with the way Dr. O'Donnell put it to me. He put it in a very accurate way.

23730. Mr. Kavanagh.—You said, in answer to Lord Dudley, that it would do away with the gap between the producer and the Meath man?—If the best class bits are broken up it will cause a hiatus.

23731. Did you read Professor Campbell's evidence in which he urged the producer to fill the gap himself, and to keep the cattle a year longer, and pass them on to the Meath man himself?—He can only keep it a year longer by putting it into a house and feeding it.

23732. He can supply the Meath man, who wants the advanced store, instead of the cattle going to the Roscommon man?—He can only do that by keeping the cattle over a winter. To do that he must do one of two things. He must have grass land enough to put them on it, and feed them with turnips and cake, and then send them to Meath in a condition to go, because the Meath man won't buy unless they are in a good condition, or he must put them into stalls, and feed them exclusively in the stalls. In any case he will have to put them into stalls at night. There are only those two ways of doing it. He cannot do it either way. If he keeps it in grass it ceases to be a mixed farm, and if he puts them into stalls to fatten they won't be suitable for going to Meath.

23733. That was Professor Campbell's evidence. He considered that the producer should keep them a year longer, and then pass them on to the Meath man?—It is very nice in theory. I don't know whether Professor Campbell has worked an Irish farm or not.

23734. Chairman.—Will you continue your statement now?—Before reading the next portion of my statement, may I say, in reference to the question Sir John Colomb put to me, and which strikes me as a very important one, that in regard to the exportation of these calves the calves exported only numbered 5 per cent. of the total amount. On thinking it over, I think I am quite justified in taking this view of it—that the exports from Cork, Londonderry, and those parts consisted largely of calves raised in the neighbourhood, which it is cheaper to ship than to carry by rail to the grazing land.

23735. You think the calves reared close to these parts find a better market in Scotland than they would in Ireland, because freight is cheaper by sea to Scotland than by rail to the grazing parts of Ireland?—Yes.

23736. There are probably grass lands where those calves could be handled in proximity to these places?—There is very little of that in Ulster. It is more tillage in Ulster.

23737. Sir Francis Mowatt.—Does not that apply to Cork also?—There is a great deal of dairying land there.

23738. Chairman.—Will you proceed now?—As to areas requiring to be scheduled, the converse of this proposition being equally true, power should be taken to allow areas of any size, but susceptible of clear and definite delineation, to be either included in or excluded from scheduled areas. A mere omission of the one year limit of time in section 36 (2) of the Act of 1891 dealing with this subject would not suffice, as electoral divisions are the unit of measurement therein adopted. Any amendment should provide for townlands and irregular districts being dealt with as hereinafter more particularly explained. Local knowledge is the best guide to such areas, but ought to be kept in check by official inspection before being either scheduled or removed from the schedule. In support of conclusion (7) I submit that the schedule requires revision by both inclusion and exclusion of certain areas. If poverty is the test (as I contend it ought to be), arising from want of employment, either agricultural or industrial, it will be found that such exists outside the statutory definition, and that certain parts within the present schedule should be excluded. Hence an electoral division is too large a unit; even a townland, which is sometimes very large, may include great poverty side by side with economic conditions. I should prefer allowing any district susceptible of clear delineation being dealt with, either by way of inclusion or exclusion. Any attempt to permit this allocation of districts to be made by local bodies would be fatal to its success, or to give local bodies representation in the Congested Districts Board for the administration of its funds. Absolute independence must be secured to the Congested Districts Board if its operations are to be successful. Independence from popular pressure, and independence from Treasury red tape.

23739. Now you say you should prefer allowing any district susceptible of clear delineation being dealt with either by way of inclusion or exclusion. What that means is that you have in your mind some kind of definition as to delineation of the units?—Not so much that, as a natural boundary, that can be taken as a clear mark there can be no doubt about as a guide for the man who should have the selection of these districts or the inspecting of them.

23740. What do you mean by natural boundary?—A river, or whatever could be marked down in the schedule, and there could be no mistake about in regard to the boundary of the district.

23741. Suppose you found in Meath three families living in great want and poverty, do you propose to deal with that?—I would not think three families

* See Appendix to the First Report of the Commission [Cd. 3267, 1906], p. 98.

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would constitute a case of acute poverty in the sense I am speaking of.

23742. What is to be your limit? You talk about a district. Do you mean district?—Yes; because it does not bind me to any extent.

23743. If you mean a district, then your definition is a geographical definition and not a personal definition. You would not then say it was a question of so many inhabitants or of so many families, but you would say it is a question of geographical definition?—The geographical definition would indicate the area within which this poverty exists.

23744. Are we to understand that the definition you set up in your mind is a geographical definition?—Yes; not the definition of congestion but the definition of the areas to be scheduled.

23745. How are you to arrive at the geographical definition?—I think it could only be done by a competent authority, in close contact with the local people, who will afford the information necessary.

23746. I mean if you found a certain amount of poverty in Meath would you be inclined to take the Ordnance Map or something of that sort and say this particular district marked 116 on the Map, lying between Ashbourne-road from this place to that place should be scheduled?—Yes, if the poverty is sufficiently extensive to make it part of the social problem. But the way in which I suggest the matter might work beneficially is this. With certain districts scheduled according to valuation and percentage it is found impossible to include spots on the very fringe of those districts, which were, perhaps, more in need of being dealt with by the Congested Districts Board than the districts scheduled. The Board, however, could not deal with them because of the statutory definition of congestion. Had it been left open to the Board, as I am told is done under the Crofters' Act, they could have included the certain districts I refer to as being left out, and it would have been useful to those districts.

23747. Mr. O'Kelly.—Certain districts, as under the Crofters' Act, could be included?—Yes. One of the Commissioners mentioned to me yesterday that such a provision was in the Crofters' Act. I am not familiar with that Act myself.

23748. Is there a provision as to discretion in that Act?—I think so.

23749. Do you not think some plan would work equally well in Ireland?—I think so.

23750. Chairman.—Take the case of a spot where a few poor families live—what are you to do with that?—I could hardly say that would be a case constituting a condition of acute poverty. We find that in places throughout the whole country.

23751. Where are you to draw the line?—Whenever it falls to what one might really call acute poverty, and where there is congestion.

23752. What do you mean by congestion?—I mean poverty through want of employment in the agricultural industry or otherwise.

23753. Take the case of ten families—a little area where the people are in great want?—I can quite conceive ten families in such very poverty-stricken circumstances that they would certainly be greatly assisted by the operations of the Congested Districts Board among them.

23754. What are you to do for them? The Board was constituted for certain purposes. They are set out in the Act, namely, agricultural development, forestry, the rearing of live stock, and poultry; emigration, migration, fishing, weaving, and other suitable industries. It would be much more difficult, would it not, for the Board to do anything very practical for a very small community of that kind?—I think not; from my observations and what I know of the Congested Districts Board's work in Mayo particularly. I have noticed a marked improvement in places where their Parish Committees are at work. They seem to have a very improving effect upon the people. It is universally reported in the districts that this is so, and my own eyes have testified to it. You know the system. It is slightly different in Mayo than Donegal. You get a good deal more value for the money expended than from any other system of improvement. That has come to my knowledge.

23755. You would allow representation to be made to the Congested Districts Board for an inspector to be sent down. If the Board were satisfied, on the report of the inspector, that there was a little area where great poverty exists, then the Board should have, perhaps, under certain limits, the right to schedule that area?—Yes.

23756. And you would not make a townland or an electoral division or anything else a unit?—No; but in a good many cases they would work out to townlands and electoral divisions, but not in all.

23757. You do not think there would be any inconvenience by reason of the fact that you get Ireland dotted over with spots or areas of this kind?—No; because there are cases, I think, you want to bring up to the normal before they could be treated by such a body as the Agricultural Department.

23758. You said that you thought all technical and agricultural instruction should be given by the Congested Districts Board?—In the congested districts.

23759. Do you see any reason to suppose there would be increase of difficulties if in all those little spots of congestion dotted about all over Ireland the Congested Districts Board were charged with the responsibility of giving technical and agricultural education, while the rest of Ireland was left to the new Department?—I should not have thought so; but not being a member of the Congested Districts Board I am not so familiar with their methods of work. What appears to me is that in such a case the Congested Districts Board would work through their local Parish Committees.

23760. The work of the Parish Committees, so far as I understand it, has really been sanitary work more than anything else?—I think a great deal more than that.

23761. Actual drainage work?—Yes.

23762. I think I am right in saying that their primary work has been the making of the house cleaner and the sanitary conditions round the house better?—What I was told in some of those districts was that the Board's first attention was directed to the house.

23763. Most Rev. Dr. O'Donnell.—I think this is the rule. The Congested Districts Board insists on the cattle being removed and the manure also to a certain distance before it begins to give anything in the shape of a grant to the occupant. The Board insists on that being done as a condition precedent to a grant. The grant is first for the improvement of the house, and then the homestead, and finally for fencing and drainage.

Sir Antony MacDonnell.—The total estimate for this year is only about £12,000. It cannot go very far.

Chairman.—I still think I am right in saying the principal work has been the improvement of the house and the removal of the cattle and manure to a certain distance to allow of better sanitary conditions.

Most Rev. Dr. O'Donnell.—You are perfectly right.

Chairman.—My point is this. Several times we have had questions put by Sir John Colomb in regard to sanitary business. Sir John thinks a great deal of this work done by the Parish Committees clashes very much with the duties thrown upon the sanitary authorities.

Sir John Colomb.—I rather meant that there were two lots of expenditure going on; one the expenditure of funds provided by the State and by the rates for the enforcement of sanitary law, and the other by the committees and from other sources in order to induce people to obey the sanitary law. It was rather a question of expenditure I was dealing with.

Sir Francis Mowatt.—Two expenditures for one duty.

23764. Chairman.—Both are supposed to have been doing the same thing. If you are to have a Parish Committee to deal with all those spots you have got to remember very much the amount of money you have been giving to those Parish Committees?—I do not think I have in my evidence in any way conveyed the idea that there would require to be a very large increase in the number of scheduled districts. There are some cases. I know some of my own knowledge that might be included, but I am not aware that acute poverty exists to any very large extent throughout unscheduled districts.

23765. Mr. O'Kelly.—You are not aware in the County of Mayo alone that over 50 per cent. of the occupiers are under £8 valuation. Three-fourths of those under £4 value are excluded by the present definition?—That may be so. But I do not consider that many of those holdings in the district would form what I may call the acute problem.

23766. Chairman.—Would you have any definition of poverty at all?—Yes.

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23767. What is your idea of poverty?—My idea of poverty is this, namely, where there is a great struggle for existence due to the want of employment, either agricultural, industrial, or otherwise.

23768. You would make no test in the shape of valuation?—I do not think so, because the minute you introduce valuation you seem to absolutely attribute it to agricultural causes. I do not think that is correct. I believe poverty to exist quite apart from the want of sufficient land for the holding. I mean I do not think a levelling up to £10 of rent, if it could be done, would at all remove poverty in the case of many of the scheduled districts. This is the way it strikes me. The Congested Districts Board was introduced for special objects, but the Board are very much of the nature of a benevolent body trying to get the most it can and doing the greatest amount of good it can. It seems to me they approach the problem in the most likely way to be successful. They want to teach the people industrial habits and to train them up by technical instruction in agriculture and so on. They begin with the needs of the family and get them to take more interest in the house and its surroundings, and assistance is given to those who are worthy of it. I think that is a very effective way of giving instruction in the country, and what struck me from the inquiries I made was the very remarkable way the Congested Districts Board must have selected places where those committees were at work. I did not find any case where the committee did not seem to be doing good work. I can quite conceive in such cases a committee may have tried and failed from want of competent local people, but they seem to have chosen the people in charge of the committees, etc., with so much skill that they have been successful. There is a village called Gweesala and there is a loan bank there. I am not sure it is not under the Congested Districts Board.

Mr. O'Kelly.—Under the Agricultural Organisation Society.

23769. Most Rev. Dr. O'Donnell.—Some are financed by the Board?—It is doing a good work in a very congested district. £1,100 has been lent out in one year by that bank in small sums not exceeding £5. It was not paid back in instalments as is usual in the loan banks of which I have acted as Chairman. It was not paid back by instalments, but paid back in one lump sum at the end of a period of two, three, four, or six months, but never exceeding eleven months. This enabled the people to buy young stock and to bring them up, and then sell them at the fair. The people then paid back their loan. I was told by one of the members of the committee that they had had no loss. A most remarkable thing in a congested district.

23770. Sir Francis Mowatt.—Is it the case that any district can set up a Parish Committee with the assent of the Congested Districts Board?—Yes.

23771. Therefore it is not the Congested Districts Board that selects the district or does the district go to the Congested Districts Board and say, "We should like to start a Parish Committee"?—In every case it rests with the Congested Districts Board to say whether they will operate there or not. The proposal might come from either party.

23772. Most Rev. Dr. O'Donnell.—As to the banks set up in the congested areas, to form the nucleus of a fund, the Board, at the instance of the Agricultural Organisation Society, gave each of them about £100 of a loan on easy terms. That was the beginning of the Board's financial assistance to those banks.

Sir Francis Mowatt.—The Congested Districts Board made the loan?

Most Rev. Dr. O'Donnell.—Yes. If I am not mistaken the total amount advanced by the Congested Districts Board towards helping those banks in the congested areas is about £6,000.

23773. Mr. Bryce.—Do you think highly of that system of agricultural banks?—Very, where properly managed. Where it is managed on a sound business basis and not on popular lines it is most useful to industrious tenants.

23774. Mr. O'Kelly.—Popular management and management on sound lines would not be inconsistent?—I am afraid it is as a rule.

23775. Sir John Colomb.—You say* that powers should be taken to allow areas of any size to be either included or excluded from the scheduled areas. In whom would you vest that power?—Well, I think that is for wiser heads than me to say, but the only person who occurs to me as being one who ought to know is the inspector of the Local Government Board or some such officer.

23776. Assuming we accepted the view that power should be taken, you cannot suggest to the Commission by whom it should be exercised?—Except the inspector of the Local Government Board. It is his duty to know the circumstances of the country and he ought to do it.

23777. In suggesting that officer you attach much importance to the power being exercised in some degree by an authority not open to popular pressure?—Certainly.

23778. Take the case of areas now included in the scheduled districts that, in your opinion, ought not to be included, does it necessarily follow that those fairly well-to-do areas must be dealt with by the Congested Districts Board and money must be expended on them?—Oh, no.

23779. Does it not still rest in the discretion of the Congested Districts Board whether they apply their efforts in these districts?—It does. I think, however, a demoralising effect is produced by scheduling a district that does not require it. It is a pity to deprive them of their self-reliance and the efforts which they would make if they were not scheduled and did not depend on assistance. Scheduled people manifest a little dissatisfaction if the Congested Districts Board withholds its aid from them while it is dealing with districts more urgently in need of relief. All that would be avoided by refusing to schedule those districts I refer to.

23780. And that is the foundation of your objection to retaining in the area to be operated upon by the Congested Districts Board a district scheduled on an artificial standard?—Certainly.

23781. You suggest a poverty-stricken area may be less than a townland?—Yes.

23782. Can you help me in this. It seems to me if you so take an area even of a townland, and declare it to be within the operations of the Congested Districts Board, that area being so small can hardly admit of the treatment by a process of enlargement of holding?—It may or may not—very likely not.

23783. Still it occurs to me, does it not also occur to you, that an area smaller than a townland can hardly admit of the operations of migration within its area?—Hardly.

23784. Therefore in attempting to carry out enlargement of holdings the Congested Districts Board must go outside it?—Yes.

23785. And in the case of dealing with migration as applied to that very small area it really must go elsewhere?—Yes.

23786. Do you not think that would give rise to practical difficulties if migration was the only remedy?—But they can apply many remedies which would be suitable to those areas.

23787. Is it in your mind that the relief of a poverty-stricken district of very small area such as you describe, must be looked for more to other means than migration and enlargement of holdings?—Certainly.

23788. As to those areas, if handed over to the Congested Districts Board, do you suggest the efforts of the Board should be limited to measures other than the enlargement of holdings or migration?—I should be inclined to leave them a perfectly free hand as at present.

23789. If you leave them a free hand you must give them the means to work with a free hand?—They cannot do it if they have not the means.

23790. If you say they are to have power to apply migration and enlargement of holdings to these very small areas you must give them the means to carry out that policy of enlarging holdings, which is a question of area?—But you would find my proposal does not make any very radical difference except along boundary lines of scheduled districts. Cases have occurred to my knowledge of places immediately over the border requiring assistance, and could not get it from the Congested Districts Board. They would have been willing to assist it, but were unable. It is impossible to draw that boundary line, and say it should extend from here to there.

23791. Are you confining yourself to small areas of congestion close to the bounds of an already scheduled district?—I have put no limitation of that kind on it. Wherever it occurs, if it is acute poverty, I would schedule it.

* See p. 232.

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23792. Do you look for relief of those poverty-stricken spots by operations other than migration and enlargement of holdings?—Certainly I do.

23793. CHAIRMAN.—What do you look to?—To some of the operations the Congested Districts Board are now carrying on, such as their classes, the offering of prizes for improvements.

23794. SIR JOHN COLOMB.—And the establishment of parish committees?—Certainly; they are most valuable.

23795. SIR ANTONY MACDONNELL.—You are familiar with the banks on the Continent known as Raffeisen banks. They have been very successful where they have been established?—I believe so.

23796. You are aware these banks are managed by the members of the banks?—I believe they are.

23797. You are aware that that is a purely popular management?—I suppose it is.

23798. You make this exception when you state that popular management is inconsistent with sound management?—I was speaking of Ireland.

23799. There is no inconsistency elsewhere. It is only in the atmosphere of Ireland there is inconsistency?—It is not that, you have to take things as you find them.

23800. Elsewhere popular management and sound management are not inconsistent, but in Ireland it is different?—In Germany it appears to work well, but in Germany some very strange things work well. It would not work in Ireland.

23801. In Italy?—Yes.

23802. And in Switzerland?—I am not aware there are any there. All those people are a century ahead of us in many important factors in our social life.

23803. The Raffeisen bank system was a system of extraordinarily rapid growth?—I believe it was.

23804. I only wanted to bring out that there is no radical inconsistency between popular management and sound management. It is only climatic and geographical?—I did not say so.

23805. MR. BRYCE.—As a matter of fact, there are a large number of these banks in congested districts, all of which under popular management have been quite satisfactory. The reports of the Congested Districts Board make mention of them from time to time?—Popular management is a very vague term.

23806. They are managed under a joint guarantee of all the members. All the members become responsible to an unlimited extent for the loans?—I dare-say that would work well. If that is what you mean by popular management, there is a sound business principle in that, but what I meant by popular management was something of a Loan Fund Board elected.

23807. SIR ANTONY MACDONNELL.—We were not talking of that?—If they were based on the same system as abroad I think they would work well in this country.

23808. SIR ANTONY MACDONNELL.—Entirely based on the Raffeisen type, and having no connection with the loan fund of which you are speaking.

23809. MOST REV. DR. O'DONNELL.—On that subject of popular management I think perhaps there has been some misunderstanding. Do you consider management by the Parish Committees works out very well?—Yes; if you call that popular management, I think it works well.

23810. SIR JOHN COLOMB.—Do you draw a distinction between co-operative management and popular management. Were you thinking of co-operative management, or in what sense were you thinking of popular management?—An elected body.

23811. MR. BRYCE.—Are not those agricultural banks in Ireland managed by an elected body. The members are all responsible, and they elect certain persons as a Committee?—What I mean is they should not go outside the members for an elected working body.

23812. Your point is that they should not go outside the members, and that so long as the election is confined to the members popular management would be all right?—I think so.

23813. SIR FRANCIS MOWATT.—You describe congestion as acute poverty caused by want of employment?—Yes.

23814. Would that apply to holdings on the extremely poor land on the West coast, where, however much a man works he cannot get a living out of his land, and if you give him more land necessitating more labour he would not improve his position?—But if he gets other employment, migratory labour, fishing, or anything started at home, it would relieve his misfortune.

23815. When we went round the West Coast we saw numerous holdings where the man was fully occupied in doing the best he could with his land?—I never saw that in my whole tour.

23816. The work of the Parish Committees is assisted by the offer of small rewards, by which they excite competition among small landholders in the clearing of their land?—Yes.

23817. It does not seem right to describe them as a lazy population if a small encouragement of that sort induces men—and we have had ample evidence of their very hard work indeed—to repair their houses and improve their holdings?—Well, you must not take me as saying that everyone is lazy. Speaking generally, I say that is the character of the Irish people. It is not very hard work they are put to in fulfilling the conditions laid down by the Congested Districts Board. It is nothing compared with the work they have to do when they go to England.

23818. Do you not think it takes very hard work to improve these holdings?—I think it is the beginning of an improvement in the land system.

23819. SIR ANTONY MACDONNELL.—Perhaps you will be able to give us your opinion as to the system of Parish Committees. It is different in Donegal to what it is in the West of Ireland. We understand the system of Parish Committees in Donegal is worked by giving prizes, while in the West of Ireland they give advances of money to persons who are considered by the local Committees to be most deserving of such assistance. Which is the better system? Which produces the better extent of improvement?—I am afraid I cannot answer that. I am not capable of forming an opinion, for the reason that I know the work in Donegal, but I do not know the work in the other parts.

23820. SIR FRANCIS MOWATT.—You say if the operations of the Congested Districts Board are to be successful it must have independence from popular pressure and independence from Treasury red tape. I suppose Treasury red tape means their declining to advance more money?—Well, I do not limit the meaning to that.

23821. I only want to know what it means?—I know I am on dangerous ground and on thin ice. All I say is that my experience in railway matters has led me to find out that the Treasury have facilities for putting difficulties in the way of working long before they come to the point of refusing the money. That is my own experience.

23822. I only wanted to know what it meant?—That is what it meant.

23823. There are no railway schemes put forward by the Parish Committees?—I formed my opinion of the Treasury from my experience in railway matters. I have had a good deal of experience in that.

23824. MOST REV. DR. O'DONNELL.—You were Grand Jury railway director for some time?—I was, and a shareholders' director.

23825. CHAIRMAN.—Will you continue now?—As to changes in law and administration, the following changes in law are desirable. (*a*) Revise the definition of congestion, and in place of basing it on an average valuation per head and percentage of population in electoral divisions (which characterises it as solely agricultural, and does not take any consideration of the want of or existence of any industrial and technical pursuits), let it rather be based on want of employment (agricultural, industrial, or otherwise) that results in poverty, either chronic or intermittent. The Local Government Board Inspector to be the authority to decide subject to review. Meantime let the present areas as scheduled be taken as such. (*b*) The Schedule should include the districts or areas requiring relief, and should include the estates purchased by the Congested Districts Board, or such as are tranferred to the Congested Districts Board after being purchased by the Estates Commissioners under sections 6, 7, and 8 of the Act of 1903. The Congested Districts Board should have full powers to carry out its work and to expend its funds upon any lands included in the Schedule. (*c*) The law should be altered to enable the Congested Districts Board to clear the equities in cases of the titles of lands, where land is surrendered and consolidated, or transfers take place from one holding to another. (*d*) Compulsory purchase is absolutely unnecessary and uncalled for,

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unless it is proved that sufficient land for the relief of congestion cannot be obtained by voluntary sales. At present large areas of untenanted land could certainly be obtained voluntarily if a fair price were offered for it, and if the uncertainties, hindrances, and delays which now attach to sales were removed. (e.) The Estates Commissioners or the Congested Districts Board may purchase estates in any part of Ireland, but in the former case the Estates Commissioners should convey them to the Congested Districts Board to administer if any portion of them is congested, or is to be used for the relief of congestion. (f.) Remunerative employment being the great necessity for improving the condition of the poorer parts of the country, grants should be made to carry out the following and similar works reproductive or otherwise:—(1.) Fishery piers, boats and equipage for fishing at all suitable stations by the Congested Districts Board. (2.) Roads, bridges, and improvements in thoroughfares, especially in tourists routes, and where access to bogs or seaweed is at present wanting or defective. (3.) Turf industry, either by way of bringing large supplies into connection with the coast for supplying fuel as required, or the making of peat litter, etc. (4.) Appointment of local agricultural experts to reside in districts to instruct and advise the peasantry on farming operations. (5.) The extended establishment of co-operative trading societies and loan banks, wherever the conditions are suitable. (6.) The supply of seed potatoes in exchange for equal quantities of those grown on the farms supplied, especially in localities where failures or partial failures of the potato crop are frequent. (7.) The extension of technical training in all branches of useful industry. (8.) The opening and working of quarries and mines wherever there is fair prospect of deriving profit therefrom. (9.) Facilities for voluntary emigration of families from maritime and other areas where the people will not migrate, and where there is no land to enlarge holdings. In support of this I submit enough has already been said by me on sub-paragraphs (a) and (b). I proceed to support (c) (d) and (e).

23826. You say enough has already been said respecting sub paragraphs (a) and (b). The only remark I wish to make is that you speak of land on estates which have been transferred to the Congested Districts Board after being purchased by the Estates Commissioners under the Act of 1903. I don't know where you get your information from, but there is no case on record, so far as I know, of any such thing having been done?—No; that is what I recommend should be done.

23827. Sir ANTONY MACDONNELL.—Your recommendation is that estates should be bought by the Estates Commissioners and transferred to the Congested Districts Board?—Not so much that as that where estates have been bought by the Estates Commissioners they should transfer them to the Congested Districts Board if they are congested, or if they are suitable for migration.

23828. You are aware that that is not possible under the existing law?—Quite, but the whole passage refers to changes in the law.

23829. You know that it is not possible under the Act of 1891?—I know. That is why I recommend an alteration of the law.

23830. CHAIRMAN.—Then you do contemplate, so far as these estates are concerned, that the primary purchasing authority should be the Estates Commissioners?—No, what I said was that where they had bought estates they should transfer them to the Congested Districts Board, who also have power to buy estates. I would not suggest that they should be prevented from doing that.

23831. You suggest that they should buy property and having bought it should transfer it to the Congested Districts Board?—They have power to do that, but I would alter the law so as to make it necessary for them to transfer estates which they had bought containing congested districts to the Congested Districts Board.

23832. In order to avoid any kind of clashing in the work of improvement? Instead of the Estates Commissioners buying estates and improving them, you think the Congested Districts Board should be the only improving authority, and you would transfer from the Estates Commissioners to the Board any estate requiring improving?—Yes.

23833. Sir ANTONY MACDONNELL.—Has it occurred to you to consider as an alternative that the Estates Commissioners should abstain from buying any congested estates in the scheduled areas and leave the acquisition of all these estates to the Congested Districts Board?—That has not occurred to me. I do not see the advantage of it.

23834. Your object would be equally well secured?—I think not.

23835. Supposing there was an estate in the scheduled area, and the owner wanted to sell to the Land Commissioners, and supposing they bought it, your proposal is that they should instantly transfer it to the Congested Districts Board?—Yes.

23836. Why could not your object be equally well secured by purchase by the Congested Districts Board?—You have to assume that sufficient funds would be at the disposal of the Congested Districts Board to make the purchase.

23837. You think that otherwise the landlord would be handicapped if he had to deal only with the Congested Districts Board?—Certainly.

23838. But assuming that the amount of funds is equal?—I have not thought of the question, but I think I would prefer to leave the matter as it is, leaving to each body the power to purchase.

23839. You would require legislation for what you propose. The other could be done without legislation?—These are my suggestions.

23840. But it is easier to do it than if you have to pass a Bill through the House of Commons?—Yes.

23841. CHAIRMAN.—What is your reason for wishing to keep the matter as it is? Why do you think it is better to have two purchasing authorities?—I think the Congested Districts Board have a good deal on hand; and, considering the two authorities, I look on them in this light, and it is rather an antagonistic light. I look on the Congested Districts Board as an anomalous Board, but acting in a benevolent way towards the country, and I think it is most dangerous to mix up the objects and purposes of such a Board with the duties of administration which might and do devolve on the Estates Commissioners, who are a quasi-judicial body. I regard the two Boards in that light, and I think the Congested Districts Board is better suited for dealing with all questions relating to congestion than the Estates Commissioners. But I see no reason why the Estates Commissioners should not continue to discharge the function of buying land.

23842. Then you think that the functions of the Congested Districts Board are paternal, and that they are the people who can best improve the land when it is acquired?—Yes.

23843. But that the Estates Commissioners, being a regular Department are the most fitted to carry out the business transaction of actually acquiring the land?—Not exclusively.

23844. Not exclusively? But you say that you think there should be a separation of the two functions?—Yes; but I would leave to each body its existing powers of purchasing land.

23845. When you say that the Estates Commissioners ought to retain what you call their administrative functions, do you mean to imply that their administrative functions should be purchasing functions, and that when they have exercised those functions they should hand over the land to their paternal colleagues, the Congested Districts Board, who would do the improving?—Yes.

23846. And you contemplate that under that system the major part of the purchasing would be done by what you call your administrative body, and that the greater part or, perhaps, the whole of the improving would be done by the paternal body?—I do not know that it would work out in that way, but I think the two bodies ought to be able to work in the purchase of land without clashing in any way. Administrative arrangements could be made to that effect without altering the law.

23847. Sir ANTONY MACDONNELL.—Where there are two purchasing authorities the vendor has a better market?—Well, I hardly think it would be much use setting one against the other.

23848. CHAIRMAN.—Do you see any reason to suppose that the Estates Commissioners would purchase land more efficiently than the Congested Districts Board?—By more efficiently do you mean more cheaply?

23849. Assuming that both would give a fair price, and supposing that the price was the same, and was in each case a fair one, do you see any reason to suppose that the Estates Commissioners, by reason of their constitution, would be able to purchase more expeditiously

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and more easily than a body like the Congested Districts Board?—I should think not.

23850. Then why not let the Congested Districts Board purchase?—They are doing it now, but there is no earthly reason why they should not do it equally if they organise their office.

23851. The Estates Commissioners?—Yes, if they organised their office.

23852. Then if they organise their office, do you see any reason, supposing the organisation is as good as you would like to see it, and the price to the landlord is a fair one, why they should discharge these purchase powers more expeditiously and satisfactorily than a body like the Congested Districts Board?—I should not be willing to run the risk from the sample we have already had of the work of the Estates Commissioners.

23853. Then why do you not throw the whole responsibility on the Congested Districts Board?—Because I hope in time, as the Estates Commissioners gain knowledge and experience, they will be able to push along faster than they are doing now. I do not quite follow your reasoning

23854. Sir John Colomb.—I am not quite clear about sub-paragraph (*b*). Are we to read that paragraph as referring to the whole of Ireland, or is it limited to the Congested Districts area?—My idea was that wherever you found in Ireland a patch of land with acute congestion upon it, it might be scheduled even if lying out in the middle of otherwise good country, so as to enable the Parish Committee to bring relief to the poor people.

23855. Then that really does mean that the Congested Districts Board is to be the machinery for operating the re-settlement and re-arrangement of estates all over Ireland?—Yes

23856. And your paragraph is not limited to the area of the congested districts, but applies to any part of Ireland?—After it has been put into a revised schedule.

23857 Then your proposed change is subject to the acceptance of a revised schedule, such as you recommend?—Yes.

23858 Is it only in the case of a revised schedule being accepted that you now press this argument?—Yes.

23859. Sir Francis Mowatt.—There is a purchasing Department of the Congested Districts Board and a purchasing Department of the Estates Commissioners. Both are engaged in purchasing land. What is the object of keeping up two Departments for the sake of purchasing land instead of doing it by one Department?—the framers of the Act of 1903 would be better able to answer that.

23860. Yes, but I am asking you?—For my opinion?

23861. Yes?—Well, the power having been given to them I would leave it with them. I do not really know why they had it originally. I do not recollect what particular reason was put forward

23862. You see the result is that you will be keeping up two staffs to do the same kind of business. That is Treasury red tape, I know?—I do not say that. Of course, if all the work were to be done by the one body, that body would require a larger staff, and the Congested Districts Board does a good deal besides estate purchasing

23863. Most Rev. Dr. O'Donnell.—I understand you to say that the improving of congested estates would be done by the Congested Districts Board?—Yes.

23864. But you suggested that such estates might also be purchased by the Estates Commissioners?—Yes.

23865. Then it was put to you that such an arrangement as that might lead to overlapping?—Yes.

23866. And you said that might be overcome administratively?—Yes.

23867. Mr. Wyndham told us that one of the objects of putting the Estates Commissioners under the Government directly was that the Government might have over them such control as would prevent such overlapping. Now, it was put to you with a good deal of reason that there would be some advantage not only in having the improving done by one Department, but in having purchase carried out by one body. Take the Congested Districts Board. Suppose they improve an estate, is it not a great advantage that the officers who are going to undertake the work of settlement are the very men who have been on the land, and suggested to the Board the price they are to give? Is it not important that the improving body should have had a determining voice in fixing the price?—That is important, I think.

23868. Would that lead you to accede to Sir Antony's point, that the purchase of congested estates might with advantage be done by one body—the body improving the estates?—There is this to be said on the other side. The Congested Districts Board have not got the same power or permission to lose money over the purchase of estates as have the Estates Commissioners. Yesterday I said the Estates Commissioners had power to lose ten per cent., but Sir Antony contradicted me.

23869. Sir Antony MacDonnell.—Oh, no; I did not contradict you. The section is clear, and is to the effect that the amount which the Estates Commissioners can lose is a maximum average of ten per cent., subject to the sanction of the Lord Lieutenant?—They might be allowed to go beyond ten per cent.

23870. No. The Lord Lieutenant can determine the amount of the loss within ten per cent. If you understood me to say anything else I cannot have explained my meaning—I thought they had power to go beyond that

23870. Most Rev. Dr. O'Donnell.—I was asking you to consider this that there is some advantage in the body that is going to improve the estate having a voice in determining the price?—Yes, but *per contra* one has to study the fact that the Congested Districts Board have to buy with a closer eye to not suffering loss.

23872. The funds of the Board are very limited, and it is on these funds that any loss must fall resulting from the purchase of estates?—Yes.

23873. Hence it is necessary for the Board to be very circumspect in regard to loss?—Yes; until the same power is given them as is granted to the Estates Commissioners under section 6 of course they cannot be in the same position.

23874. Sir Francis Mowatt.—As a matter of fact the Congested Districts Board have greater powers than the Estates Commissioners. I understand they are not limited to ten per cent?—Well, it is strongly controverted by Mr. Bailey in his memorandum in the Appendix to the Third Report.

23875. Sir Antony MacDonnell.—There is no limitation on the amount which the Congested Districts Board may lose?—But they haven't got the money to lose.

23876. Mr. Kavanagh.—You suggested that wherever the Estates Commissioners bought an estate, they should, when they found congestion on it, offer it to the Congested Districts Board. Do you mean that to apply all over Ireland or merely in the congested districts?—If it is a congested estate.

23877. Supposing they bought an estate, and found that in their opinion there was congestion although it was not in the scheduled area Do you suggest that they should offer it to the Congested Districts Board?—They might purchase an estate on which there was a certain amount of congestion which had not been put into the schedule.

23878 Do you suggest then that they should offer it?—I think if there is congestion to be dealt with the Congested Districts Board are the right people to deal with it.

23879. Mr. Conor O'Kelly.—Do you think the circumstance that there are two purchasing bodies has any effect on the price of land?—Do you mean competition? No I don't think so. I have heard of one case, but I don't think there is anything in it. I have not myself been aware of anything of the sort.

23880. Sir Antony MacDonnell.—The effect of your evidence is that the relief of congestion should be entrusted to one body alone, namely, the Congested Districts Board?—Yes.

23881. You would preclude the Estates Commissioners from dealing with the relief of congestion, and would concentrate all operations for the relief of congestion in the hands of the Congested Districts Board?—I would recommend that.

23882. You would not interfere with the present power of the Congested Districts Board to buy property?—No.

23883. Your reasons for that, so far as I can understand, is that you are dissatisfied with the operations and the method of procedure of the Estates Commissioners?—I do not think I gave that as my reason; but if you like to add it as another reason I am quite agreeable.

23884. Well, I take that as one reason, at all events—the unsatisfactory nature of the Estates Commission?—That was not the sole reason.

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23885. What were the other reasons?—One very strong reason was that it would be very important that the body improving the estate should have an inspector on it for fixing the price, because he would know all about it.

23886. Would not that be a reason for transferring the purchase of all congested property to the Congested Districts Board?—If you couple with it the granting to the Board of sufficient funds, and the same powers as the Estates Commissioners now have in relation to the purchase, I would be inclined to say yes.

23887. Although you know that purchase by the Congested Districts Board is outside the zones altogether, while purchase by the Estates Commissioners of estates in congested districts is governed so far as need be by the zones?—In practice we do not find that to work.

23888. But the consideration which I now mention to you does not make you in any way modify your opinion, that it would be desirable to transfer to the Congested Districts Board the purchase of all estates which they propose to deal with?—No.

23889. In other words, the principle is that the body which relieves congestion should have the purchasing of the congested property?—That is not what I recommend. What I recommend is that both bodies should go on purchasing, but when you put it to me, I say that if the Congested Districts Board are given the funds and the same powers that the Estates Commissioners now have I would recommend that all should be transferred to the Congested Districts Board.

23890 What extra powers have the Estates Commissioners?—Well, there is section 6—that loss of 10 per cent.

23891 But the Congested Districts Board have much greater powers?—They have not the money.

23892. But assuming that they had the money, you say they should be the purchasing authority?—Yes

23893. You instance this 10 per cent., which would be a limitation on the Congested Districts Board. That was probably said hastily?—I see.

23894. What other powers have the Estates Commissioners?—I am not a lawyer, but my impression is that whatever powers the Estates Commissioners have under the Act if they were transferred to the Congested Districts Board in regard to the purchase of estates, I think the Congested Districts Board would do as good work.

23895. Given equality in all these things, you think the work of purchase and improvement should be conducted by one body?—By the Congested Districts Board, emphatically, not by the Estates Commissioners.

23896. Sir JOHN COLOMB.—There are two bodies now existing having power to purchase?—Yes.

23899. And they can exercise it the one within a certain limited area, and the Estates Commissioners over any part of Ireland. Each may make a loss, but in the case of the Estates Commissioners, it cannot exceed 10 per cent., and must receive the sanction of the Lord Lieutenant?—Yes.

23898. The Congested Districts Board may also make a loss, and are not limited, and they require nobody's sanction but their own?—Yes.

23899. But is there not this great difference between the two—that the loss realised by the Estates Commissioners comes out of capital provided by the State, while the loss made by the Congested Districts Board comes out of their own income?—I believe that is so

23900. So that the Congested Districts Board, being the custodians of their own income, have to look at any liability put upon it, and this has a restraining influence upon them in considering what loss they can incur in the purchase of estates?—I am satisfied it has.

23901. Do you think it would be a fair compromise if the State were to bear the loss incurred by the Congested Districts Board up to 10 per cent., and that only beyond that should the loss fall on the Board's income?—Yes. That is a point which in my guarded answer to Sir Antony I should have wished to cover.

23902. You think that the Board might be put in the same position as the Estates Commissioners by being able to incur a loss of 10 per cent. at the expense of the State, instead of the liability falling on their income?—Yes.

23903. Mr. BRYCE.—You agree that these purchases should be made outside the zones, because you talk of an inspector fixing the price. That means that the price is not fixed directly between the landlord and tenant, but between the landlord and the Congested Districts Board?—Yes.

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The Commission adjourned.

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FIFTY-SECOND PUBLIC SITTING.

MONDAY, MARCH 18TH, 1907,

AT 11 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O (Chairman); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

Mar. 18, 1907.

Mr. W. H. Boyd.

Mr. W. H. BOYD further examined.

23904. CHAIRMAN.—We got down on Saturday night to the end of page 11, I think?—Yes.

23905. Turning to the pages following page 11, I have been considering how we had better deal with the evidence which you propose to give. In your memorandum in the next few pages your conclusion 9 is set out at considerable length, and your reasons for that conclusion are stated at even greater length. I think on the whole the best plan would be if you were to read from the beginning of page 12 to the beginning of page 17, down to the point about Griffith's valuation?—I see, my lord.

23906. I think that would cover your reasons with regard to your views about the Estates Commissioners?—Yes.

23907. And, having done that, we can then examine you upon all those pages?—Quite so; thank you. Would it be right for me to refer to one or two things about which I was asked by Sir Antony MacDonnell—Sir Antony MacDonnell asked me about the question of drainage, and I asked time to consider it.

23908. You had better keep this over, I think; I am afraid that if we started this subject we should not get through the paper?—Well, shall I first read the (c), (d), and (e)?

23909. And we did not deal with that on Saturday?—What I refer to as on page 3, the conclusion I have arrived at which I am now going to prove.

23910. You did not read those?—No.

23911. Very well, then?—These are the conclusions that I have formed which I will now have to give evidence in support of. The law should be altered to enable the Congested Districts Board to clear the equities in cases of the title of lands where land is surrendered and consolidated, or transfers take place from one holder to another. Compulsory purchase is absolutely unnecessary, and uncalled for unless it is proved that sufficient land for the relief of congestion cannot be obtained by voluntary sales. At present large areas of untenanted land could certainly be obtained voluntarily if a fair price were offered for it, and if the uncertainties, hindrances, and delays which now attach to sales were removed. The Estates Commissioners or the Congested Districts Board might purchase estates in any part of Ireland, but in the former case the Estates Commissioners should convey to the Congested Districts Board to administer if any portion of them is congested or is to be used for the relief of congestion. In support of these conclusions the following is my evidence:—These paragraphs raise questions on which much evidence has already been given, some of it most misleading. I shall have to deal at length with some of the points referred to, viz., 1st, the hindrances to the sale of tenanted estates; 2nd, the hindrances to the sales of lands in owner's hands; 3rd, the sale prices of estates; 4th, the sale price of grazing lands; 5th, the security for the advance; 6th, the title to lands and purchase money.

23912. Sir FRANCIS MOWATT.—The title to lands and purchase money is covered by the expression "clearing the equities"?—It is one of the points dealt with in the evidence. Landowners strongly object to the manner in which the Land Acts are administered. They admit that the second term rents must now be taken as basis of purchase, and they submit that said rents represent a very safe basis on which to calculate purchase transactions. The Estates Commissioners appear to be taking the same line as the tenants' advisers, and are trying to force down the purchase prices to a level below that contemplated by the Land Conference or Mr. Wyndham on the introduction of his Act of 1903. Landowners as a body have a profound distrust of the Estates Commissioners, based on their actions and words, and their report and evidence before this Commission, which exhibit partizanship, partiality, deficient knowledge on most important branches of the subjects discussed, with a zeal that oftentimes outstrips knowledge, together with a lamentable lack of that impartial judicial attitude that should characterise a quasi-judicial body, especially one dealing with such delicate and conflicting interests as are associated with the purchase and sale of land and its transfer from owners to tenant proprietors. These are strong statements. I proceed to justify them. Only that other objects of great popular interest occupied the minds of the people of these countries when the Estates Commissioners' Report for 1906 was made public, it would have received a fuller and more searching criticism at the hands of the public press than actually fell to its share. It is in several ways the most remarkable document that has ever been issued by a Government Department, and creates a new departure from all former precedent. In the first place we have the frank announcement that the Commissioners are at variance among themselves as to the primary scope of their functions. They differ on (a), page iv., instructions to inspectors; (b), page v., as to principle for estimating security; (c), page vii., on fixing prices; (d), page viii., on the factors to be taken into account in fixing prices; (e), page ix., declaration of "estate"; (f), page xiii., comparison of averages. We further find in this report hostile criticism of some of the principles of the Act of 1903, given by the officials appointed to administer the Act. There is a fine spirit of independence in the contemptuous treatment of regulations that the Lord Lieutenant was empowered to make, coupled with undisguised partizanship, and a controversial handling of contentious issues, which as a rule are discreetly avoided by State officials. It is worthy of remark that, since the report has been published, Mr. Wrench's minority views on certain points have been supported as against the views of the two junior Estates Commissioners.

23913. CHAIRMAN.—Should you say "the two junior Estates Commissioners"?

Sir ANTONY MACDONNELL.—I do not object. I will insert the words "majority of the Estates Commissioners." It will answer my purpose.

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23914. CHAIRMAN.—We understand that that governs all your references, because on several occasions you allude to the "senior" and "junior" Estates Commissioners After the explanation here on Friday or Saturday we understand now that you recognise that to be inappropriate?—Yes; I wish "the majority of the Estates Commissioners" to be inserted instead of "the junior Estates Commissioners." Mr. Wrench's minority views on certain points have been supported as against the views of the majority of the Estates Commissioners by judgments of the Court of Appeal, in the case of The Treasury *v.* Garnier E. Holmes, and of Judge Ross, in the matter of the Estate of George Burrowes, Co Londonderry (28/1/'07), and in the Appeal Court in case of Treasury *v.* James D. Crosbie, Co. Kerry (28/1/'07) I should correct that by saying that in the matter before Judge Ross it was not a judgment It was a statement in court Mr. Wrench, the Estates Commissioner, has been a Land Commissioner since 1887, and has had the advantage of being associated with such able men as Judge O'Hagan, Mr Justice Bewley, and Mr. Justice Fitzgerald, whereas the other two Estates Commissioners have been only three years in the Chief Commission of the Land Commission Department. One of them has little or no experience of Ireland, and the other is a gentleman whose past experience is in connection with the rent-fixing tribunal. In one particular the Report makes a notable departure, much calculated to prejudice the purchase value of an estate against the vendor in the minds of the public. On page xiv, it abandons the relative term of years' purchase, or percentage of reduction, and gives land prices in the standard quotation of cost per acre! Manifestly an average of this sort, which is merely an arithmetical mean between the highest and lowest prices given, and includes all manner and quality of land from a snipe bog to good grazing land, is a misleading indication of the selling value of an estate Moreover, the Commission proceed to compare the prices ruling on this basis before the Act of 1903 with those under it, and draw conclusions as to the marked appreciation that has occurred. The whole value of these conclusions depends on the identity of the things compared, a point which the Commissioners neither refer to nor attempt to prove. Clearly an attempt should have been made to ascertain whether there was any marked difference in quality or circumstance between the lands sold prior to 1903 and those now being disposed of before arriving at and publishing any such conclusion. It is wholly unreasonable to fix one average acreable price as the selling value of land when the estates that form units in the average vary in quality and circumstances, both *inter se*, and individually in the quality of land comprised within them It is notorious that the former Land Purchase Acts left untouched most properties owned by solvent landlords and occupied by punctual tenants Most of the earlier transactions had the character of forced sales, which would under no circumstances furnish a fair standard. The average rate per acre under the Act of 1903 is stated to be £13 4s. It is a new idea that a tenant can purchase the fee-simple of an acre of land for the price of a cow, with the difference that he has to pay for the cow in cash, but can procure a loan to pay for the land. It is right to point out that Mr. Wrench differs from this procedure In the negotiations which led up to the Act of 1903 it was generally recognised that further inducements were necessary, and that a gap had to be spanned between what owners would consent to take and what tenants would be willing to give It was because of this fact that the advantages of the Wyndham Act were offered. The framers of the Wyndham Act were quite aware that an increase of price was to be expected. In the course of his introductory speech Mr. Wyndham used these words: "It is a safe estimate to say that the money side of this problem is £4,000,000 worth of second term rents in any one year" That is to say, that the Land Act was designed to dispose of a rental of £4,000,000 when reduced to the basis of second term rents. What, then, was the capital sum appropriated for this transaction? The 17 or 17·5 years' purchase paid under the Acts of 1885, 1888, 1891, and 1896 would have pointed to 68 or 70 millions. Yet Mr. Wyndham specified 100 millions in his speech and based the 12 per cent. bonus upon that figure He foresaw, as is evident, that future transactions were not to be governed by past experience. Now, £100,000,000 is 25 years' purchase of the estimated rental of second term rents. We find from the Commissioners' Report that second term rents (that is rents fixed since August, 1896) are selling at 24·8 years' purchase, a figure safely within the margin indicated by Mr. Wyndham. So, in contradistinction to the views of the majority of the Estates Commissioners there seems to be good ground for laying down three propositions —(1) That the price of land selected by the Estates Commissioners is not a fair example; (2) that so far as prices are now higher than previously, the fact is due to the better class of most of the estates; (3) that such increase of price was foreseen and provided for by the framers of the Land Act of 1903, and is well within the limits laid down by them Can it be a cause of surprise that landowners regard with distrust the administrators of this Act when in their public Report the Commissioners show such slight regard to the fundamental principles that Parliament intended should guide their actions? The special object of the Wyndham Act was to get land purchase out of the rut it had got into, and which was condemned by the Fry Commission, on the evidence before them, as exhibiting too great caution as regards security for advances The majority of the Estates Commissioners by this Report, and by their evidence before this Commission seem now disposed to adopt in an exaggerated form the worst faults of the old Purchase Commissioners as described by the Fry Commission, or as once described by one of the old Commissioners, who said that the position they were placed in, as regards the Treasury, forced them, in conducting their sale business, to act as "bears of the market," as "brokers to the mortgagees," seeking to secure the widest margin of security for this Treasury advance instead of furthering sales within the zones, *i e*, within the limits intended by Parliament, and thereby encouraging the giving of prices which would offer some inducement to the majority of landlords to sell It should be made clear to the majority of the Estates Commissioners that their business is to facilitate and not to obstruct sales from landlord to tenant, and that the Estates Commissioners were given considerable discretionary powers beyond those given under the former Acts to the Purchase Commissioners in order that they might be able to get over difficulties of various sorts, not in order that they might create them and ride off on crusades in the fancied interest of the British taxpayers or the guaranteeing Irish ratepayers or ingenious and impracticable theories as to the exact size which all Irish farms should be levelled up or down to, and what kinds of investments as regards the security are equivalent to Irish land of various kinds, etc. I will now deal with the question of the price that landowners have a just claim to expect to realize for the sale of their estates, and the security that the land offers for the advance of the purchase money.

23915 You might stop there Now, Mr Boyd, the first remark that I have to make as to that part of your evidence is that your reasons do not seem to have any reference whatever to your conclusions?—To which?

23916. To the conclusions which you read. Your conclusion (*d*) is that compulsory purchase is absolutely unnecessary, but in the paragraph we have heard nothing about compulsory purchase?—Well, you will hear it later on. It is all the same I had to start with the real fundamental difficulty in the matter which has led to the schemes being offered for compulsory purchase.

23917. First you have a conclusion dealing with the compulsory purchase of estates?—Yes.

23918 And there is nothing in this paragraph which you have read here making any reference to compulsory purchase Should you prefer that I should leave that question over?—I think it would come in better afterwards if you would.

23919. Then you say that at present large areas of untenanted land could certainly be obtained voluntarily if a fair price were offered for it. That again, perhaps, you would like to postpone?—I think it comes under this, that a hindrance to the sale of land is that a fair price is not offered.

23920. May I ask if you are dissatisfied with the prices paid by the Congested Districts Board?—Well, it differs on different estates I do not think you could judge from an average price; but I can give you my opinion on any individual estate. I have not much means of judging of the prices of the Congested Districts Board. I have Mr. Doran's table here if that is what you want

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23921. Perhaps I will leave that, too. It will come in generally when you are dealing with the question of compulsory purchase in Ireland?—Very well.

23922. Then you say in (*c*) that the Estates Commissioners or the Congested Districts Board might purchase estates in any part of Ireland, but in the former case the Estates Commissioners should convey them to the Congested Districts Board?—You might leave that over.

23923. Sir Francis Mowatt.—Did you not deal with that on Saturday at very considerable length, and would not that cover to a large extent ground that we have already got over?—The terms of reference of your Commission deal with the necessary alterations in the law that would be desirable. These are the alterations that we recommend now, which, of course, would cover to a certain extent what we have already gone over, but you will find there is not much evidence given in support of them in anything that is already dealt with

23924. Chairman.—Would you like to leave that, too?—Yes, I would leave (*c*), too.

23924a. That is, (*d*) and (*e*)?—The other questions turn on the distrust of the Estates Commissioners.

23925. Very well; we will come to that. On page 13 you complain there is a difference of opinion between the Commissioners, and you point to six or seven cases in which that is shown in their report. May I ask how you propose that such differences should be avoided or got rid of? If you have a Commission of three men, how are you going to be sure that they will not differ, and if they do how are you going to arrange that their regulations shall be carried out, unless you are prepared to accept the views of the majority?—Yes, I quite admit that; but owing to the very candid way in which their report has been framed it has afforded the landowners for the first time an opportunity of realising the difference of opinion that exists between men who are given certain functions by Parliament to carry out and that they are absolutely at variance on the fundamental principles. I do not say that it is for me to suggest a remedy. I mean that that does not come within your terms of reference. I am merely putting forward evidence to prove the distrust that the landlords have in the present administration of the Land Purchase Act in Ireland.

23926. I understand that you wish to point this out as an object that should be borne in mind and that Parliament should be asked to remedy?—Yes.

23927. But I want to know what you have in your mind. I see no way of over-ruling the views of the majority. You will have differences in a body like that, and I do not see how you can get on unless you are prepared to accept the principle that the majority's views should be adopted?—Oh, no; but things were more satisfactory when different rules and regulations were in force. Of course I am not in a position to know how far the Estates Commissioners are influenced by any Government Department. I am not in a position to know that. If I was I would probably be able to give advice directed to the point that you have asked me about.

23928. Do you go so far as to suggest that the Government should force the majority to accept the views of the minority?—No, no.

23929. Then what do you propose should be done?—To draw up proper rules and regulations for the Commissioners.

23930. What do you call proper rules and regulations?—Ones that would be a guide to them. We will deal with that further on if you like.

23931. Do you conceive it to be possible for the Government to draw up rules and regulations to prevent them from having differences of opinion?—Not that it would prevent them, but that would enable them to arrive at much better knowledge and decisions than they have arrived at. Take one case. The former rules and regulations that the Lord Lieutenant gave to the Estates Commissioners provided that before men were appointed inspectors they should undergo a preliminary examination in the same way as a Civil Service examination to see that they had some knowledge. It was not a very abstruse or difficult examination.

23932. Sir Antony MacDonnell.—Do you mean to say that that is in the rules?—I think it is in the rules. It may be in the regulations.

23932a. Are they contained in any public document issued under the provisions of the Act, and if they are, in your opinion, would you be good enough to produce it?—I have not been able to get it

23933. Yet you are making a statement?—If you would allow me to finish. What I say is that the rules and regulations which were issued, I think it was in March last year, were altered. Prior to that the rules and regulations provided that inspectors should undergo a certain examination before they were appointed. It does not exist now. We know that, as a matter of fact, whether we can prove it by documentary evidence or not, and of course it is thought that the Commissioners act under orders to that effect

23934. What has that to do with this particular question?—The men are sent out who are not proved to be competent before they go out, and they make their reports on prices to the Estates Commissioners, who act upon them.

23935. Yes, but you have told us that in your view the drawing up by the Government of proper rules and regulations would guide the Estates Commissioners and would prevent them in some way or other from having these differences of opinion?—Well, I did not say that quite. I said it would assist them in arriving at a fair conclusion.

23936. Well, I want to know how you would prevent them from having differences of opinion. How, then, are those differences of opinion that were shown by the report to be obviated by the drawing up of new rules and regulations?—There would be fewer of them. They would get better people to act. There would be fewer differences of opinion. They would be more likely to act as we consider fairly if they were guided by men of competent knowledge who had investigated the cases

23937. Chairman.—If the Estates Commissioners were guided?—Yes.

23938. Do I understand you to mean this, that in your opinion if those Sub-Commissioners were men of greater experience the advice which they would give to the Estates Commissioners would be such that the Estates Commissioners would not be so likely to differ?—Yes, only that it is not the Sub-Commissioners that I refer to. It is the Inspectors of the Estates Commissioners

23939. That if the inspectors were better qualified that would be the result?—Yes.

23940. That then the Estates Commissioners would be more likely to accept unanimously their views?—Yes, certainly, just as we find in the rent-fixing department that cases on appeal get a better and fuller hearing, and that there are more satisfactory decisions, because the assessors appointed there are men of a higher class of knowledge than those in the Sub-Commission Court.

23941. Now, take those cases that you referred to where there are differences of opinion. Would you say whether in your opinion those were general questions of fact or questions of policy?—Well, I should think that they ought to have decided them on questions of fact

23942. Do you think that those things that you referred to are questions of fact or questions of policy?—May I ask what you mean by policy?

23943. Policy of administration. Are those differences which you point to founded on differences as to fact or differences as to what should be the policy of the Estates Commissioners?—Oh, I think on both, and largely on fact in particular cases

23944. Take the Instructions to Inspectors. Tell me, is that policy or fact?—Oh, I think it is fact. If you issue instructions to inspectors, that gives them all the directions, what they are to do.

23945. That is administrative policy; that is not a question of fact, is it?—They have to state the lines that they go on.

23946. But surely the instructions that are issued by the Estates Commissioners to their subordinates are founded upon what the Commissioners consider the right course to be adopted by the inspectors. That is not a question of fact?—Yes, but the inspector's report to the Estates Commissioners is a fact.

23947. Yes, but that is a subsequent stage?—But that is regulated by their rules and regulations.

23948. You point out that as regards the rules issued by the Commissioners there is a difference of opinion. I say that is a question of policy?—The rules and regulations are issued by the Lord Lieutenant.

23949. No, the instructions to the inspectors are issued by the Estates Commissioners. Do you say that those instructions are questions of policy or fact—how can you say that they are questions of fact?—No, I think that is a question of policy.

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23950. Now, take the second point of difference, as to the principle for estimating security?—Well, if I understand that also that would be a question of policy. But remember that the result of all this is fact when they come to make their reports.

23951. If you admit that these are questions of policy, how then can the actual *personnel* or qualifications of the inspectors affect the differences of opinion likely to arise amongst the Commissioners?—For this reason, that the rules and regulations issued by the Lord Lieutenant put certain limits to their powers of exercising that policy. They must keep within certain limits.

23952. But you would not suggest that the regulations of the Lord Lieutenant should always be in such detail that you would allow no discretion to the Estates Commissioners?—Certainly not.

23953. The Estates Commissioners would have to exercise some discretion?—Yes.

23954 And therefore you admit that the Estates Commissioners would have some latitude in the exercise of their discretion?—Subject to the rules and regulations of the Lord Lieutenant.

23955. But there would always be a certain amount of latitude in the discretion exercised by the Commissioners?—Yes, and rightly so.

23956 And if that is so can you conceive that any more amendment of regulations by the Lord Lieutenant would ever prevent a difference of opinion amongst the Estates Commissioners in the discretion that they rightly exercise?—Yes, that would be the theory; but I think the alteration was made in March, 1906.

23957. Is it your opinion that the regulations issued in March, 1906, conferred greater discretion on the Commissioners than the other ones did?—Undoubtedly.

23958. And therefore you think that the wider that discretion is the more likely there is to be a difference of opinion amongst them?—Yes.

23959. That is your point?—Yes

23960. Then you go on to say that "there is a fine spirit of independence in the contemptuous treatment of regulations that the Lord Lieutenant was empowered to make." I believe I was the Lord Lieutenant that you are referring to?—I think you were, my lord.

23961. It is not perhaps for me to enter very deeply into this question, but when you speak of the contemptuous treatment of those regulations by the Estates Commissioners I think perhaps you overlook the fact that three at any rate of those regulations were held by the Judicial Commissioner of the Land Commission to be illegal. The Judicial Commissioner held those three regulations to be illegal, and therefore if that be so I am not altogether surprised that they were treated with scant ceremony by the Estates Commissioners.

23962. Sir ANTONY MACDONNELL.—Those three are held to be illegal by the Lord Chancellor, Lord Justice FitzGibbon, and Lord Justice Holmes?—I do not think those were the three of which we made any complaint.

23963. They are the only three in which the rules differ?—They were the only three in which the rules differ?

23964. The only three in which the rules of 1906 differ from those of 1905?—Would it be possible for us to get a copy?

23965. I should have thought you would have provided yourself with a copy before you made this statement?—Can we get them?

23966 They are a Parliamentary paper. I have not been fortunate enough to discover them.

23967 You can see and examine them The new rules, not the old ones. Would you refer me to the page on which I will find the old rules of the Estates Commissioners?

It appears on page 89 of the report, Mr. Boyd

CHAIRMAN.—The last report of the Estates Commissioners.

23969 Sir ANTONY MACDONNELL.—The Act of Parliament requires them to be published?—Those on page 89 are those issued by the Earl of Aberdeen. I thought you were referring to those of Lord Dudley.

23970. Yes, those are the regulations issued by Lord Dudley?—I do not think you will find the old instructions in the Estates Commissioners' Report.

23971 CHAIRMAN.—Here they are. They are not in the Estates Commissioners' Report.

23972. The regulations superseded by the regulations of March, 1906, were issued as a Parliamentary Paper in 1905, and presented to both Houses of Parliament?—Might I have a look at them?

23973 Certainly, the Number is Cd. 2604?—Then I am right in saying they are not in the Estates Commissioners' Report.

23974. I believe not. These are regulations, issued as a Parliamentary Paper, that I signed, and the regulations that superseded these are contained in the Commissioners' last Report.

23975. Sir ANTONY MACDONNELL.—Also presented as a Parliamentary Paper, No. 2834?—If I had an opportunity of comparing those with the new ones I could assent that there had only been a slight alteration in them.

23976. But you found your charge on it, do you not, against the Estates Commissioners?—On many things.

23977. But in regard to this you found a charge against them?—That is one of the items I will probably see it before to-morrow.

23978. CHAIRMAN.—We will go on to the next paragraphs. There you refer to one or two cases. By your amended paragraph, I think, you state that Judge Ross upheld, not by judicial decision but by a statement, an *obiter dictum*, the views of Mr. Wrench in one case against the opinion of the other two Commissioners. Is that so?—That is so.

23979 Well, I think, if you went into further inquiry you might find that in this case there was no difference of opinion between the three Commissioners?—As I mentioned, that paragraph is incorrect as it stands. The statement that I make in regard to that paragraph is this, that Judge Ross in his statement in Court corroborated Mr. Wrench's minority views on a certain point, and that a judgment of the Court of Appeal upset a judgment of Judge Meredith in the Land Commission Court.

23980. Sir FRANCIS MOWATT.—Of Judge Meredith?—Yes.

23981 He being the Land Judge?—He was Land Judge at the time the judgment was given.

23982 Sir ANTONY MACDONNELL.—In what case was that?—That was in the case of J. D. Crosbie's estate. I have the judgment here in my hand

23983 Sir FRANCIS MOWATT.—But that overruled the Judge's decision?—The Court of Appeal did. The process was this. The Estates Commissioners refused to make an advance. It was referred to Judge Meredith. Judge Meredith gave a certain decision which would have justified their making an advance to a certain extent That was brought to the Court of Appeal, and the Court of Appeal overruled Judge Meredith's decision, and said the advance might be made to a much larger amount.

23984 CHAIRMAN.—That may be perfectly accurate, but is not that an entirely different statement from that contained either in the paragraph as it was or in the amended paragraph? I understood from you that what you wished to convey was that in this case there was in the first place a difference of opinion between Commissioner Wrench and Commissioners Finucane and Bailey?—In the one case, only in the one case

23985. But that in the subsequent legal proceedings the Court of Appeal supported his view?—That was not in that case. That was the one case in which Mr Wrench's view was confirmed. I only referred to a statement made in Court by Judge Ross.

23986. Then the two cases are these:—In the first case Mr. Justice Ross upheld by his statement he view taken by Mr. Wrench?—No, Mr. Wrench does not come into the case in the appeal at all.

23987. I am talking of Judge Ross's statement?—Yes.

23988. Is not it the fact that you wish us to understand with regard to that case that Judge Ross by his statement upheld the view of Mr Commissioner Wrench?—Yes, but I did not think it fair to quote that because it was not a judgment.

23989 That was the first case?—Yes.

23990. The second case is that the Court of Appeal varied the decision of Judge Meredith?—Yes, in two cases.

23991. Well, you see, first of all, that as regards this latter case it has nothing to do with the Estates Commissioners. The Estates Commissioners referred this to Judge Meredith for his judicial decision?—Yes.

23992. And that decision being carried to the Court of Appeal was, as you say, varied, but there was no difference of opinion amongst the Commissioners, as I understand, in the original reference to Judge Meredith?—No; nor do I allege a difference in the amended paragraph.

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23993. That shows no weakness in the working of the Commission?—No, but it shows a highly unsatisfactory state of working of the Purchase Department.

23994. But you must admit that there will be differences of opinion amongst the judges? The Estates Commissioners are in doubt on a legal point. The machinery—and I think the perfectly right machinery—is in cases of that kind that they should refer the matter to Judge Meredith Judge Meredith takes a certain view. That view is appealed against, and it is carried to the Court of Appeal, and there it is decided against Judge Meredith. The Estates Commissioners are not responsible one way or the other. They are only waiting till the highest legal authorities finally decide which is right, and then they proceed to act upon that legal decision.

23995 Sir Francis Mowatt.—May I suggest that that paragraph should be ignored, as it is unfortunately misleading, though quite unintentionally?—May I say in answer to what you have just said, my lord, that I do not know if the Commission is familiar with the contents of that judgment in J. D. Crosbie's case, because it is such a very important judgment and differs so materially from the original view of the Estates Commissioners and from the judgment of their own judge that it is a thing vitally affecting the sales of estates. That is my point.

23996. Chairman.—Mr. Boyd, you are, of course, at liberty, as any other person interested in the sale of land in Ireland, to suggest an alteration in the present machinery. You may think that it is very undesirable that there should be any appeal from the decision of the Land Judge, but that is really not a matter which concerns us; but as I understand the whole gravamen of your charge and of your argument in this part of your proof was directed to point out that there had been great differences of opinion between the Estates Commissioners with regard to their procedure. You quote cases in the paragraph where they have in their report differed, and then you go on to show in this paragraph which we are discussing, or to refer, at any rate, to one case in which Judge Ross expressed a view in accordance with the view of Commissioner Wrench and in opposition to the views of the other two Commissioners. Is not it obvious that we must take from all that the inference that it is your opinion that these differences between the Commissioners are detrimental to land purchase?—Yes.

23997 But these things have absolutely nothing to do with the case that we have just mentioned, where the matter merely rested between various legal authorities?—Well, I am sure it is through my being more familiar with my own view than you can be on hearing it read out, but will you allow me to say that I started this by saying that the landowners strongly object to the manner in which the Land Acts are administered, and that does not affect my contention as to the feeling of distrust based on the actions of the Estates Commissioners. I say that the landowners as a body have a profound distrust of the Estates Commissioners, and I give the reason, and then this paragraph comes.

23998 But that does not concern us at all We are only concerned with the operations and acts of the Estates Commissioners so far as the suggestion that has been made to hand over certain powers now exercised by the Congested Districts Board to the Estates Commissioners, and on a question of that kind you are, of course, at liberty to point out what you conceive to be the faults of the Estates Commissioners and oppose a proposal of that kind; but outside that we have really got nothing to do with the machinery that governs the ordinary purchase proceedings?—But these very subjects which are the subject matter of these appeals have been fully discussed before and supported by the Estates Commissioners, and a judgment has come out since their evidence was given, against them.

23999 Sir Antony MacDonnell.—Judgment in which case?—I rather think it was in J. D Crosbie's case.

24000 Sir Antony MacDonnell.—I am quite prepared to question you upon that.

Chairman.—Then you go on to say, it is notorious that the former Land Purchase Acts left untouched most properties owned by solvent landowners. I would like you to modify that statement. Do you still adhere to that?—I think so I have no reason to modify it.

24001. Mr. Boyd, surely in Ireland before 1903 there were a good many very large estates sold or dealt with?—I do not deny that large estates were sold. All I say is that prior to the 1903 Act men who were in encumbered circumstances and men who were being squeezed by the pressure of reduction of rent and different things of that kind had to succumb and had to take what prices they got.

24002. But you say that it is notorious that the former Land Purchase Acts left untouched most properties owned by solvent landlords?—I do not mean that no solvent properties were sold but that a certain characteristic of the properties sold was what I say.

24003 Now, take Lord Bath's estate?—Yes I was intimately acquainted with the estate of Lord Bath, because I was trained on it

24004. Was that a forced sale?—Not from encumbered circumstances. But let me tell you what happened. The landlord and tenant agreed to nineteen years' purchase, and the Estates Commissioners' inspector came down and reported on it, and more than seventeen would not be given on it, although it was one of the finest estates in Monaghan, with lots of improvements done by the landlord too; but English gentlemen are glad to get out of Ireland on any terms

24005. That is a different point, but your paragraph would lead one to think that it was only forced sales that were carried out under the previous Acts?—I would look on that in the nature of a forced sale.

24006. Then Lord Londonderry sold a great deal of property, and the Duke of Abercorn sold a great deal of property, and Sir Richard Wallace's property was sold, and some of the London companies sold largely in Derry?—Yes, but if you take all that were sold beforehand, it is a term that has been frequently employed even on the judicial bench. I do not think "notorious" is too strong a word to apply to the state of things, but if you suggest any alteration I will make it.

24007. "Owned by solvent landlords"—you do not think that is too strong a word?—"Left untouched?"

24008. "Most properties owned by solvent landlords were left untouched"?—Yes, I believe the majority are there still. I do not say that the largest landholders may not have sold, but I say that the majority of the solvent properties are still in the hands of their owners.

24009. I think it would be really better to say that those estates that were sold under the Acts before 1903 were of two kinds. There were encumbered estates, the sales of which were forced sales, and there were also sales of estates belonging to rich men owning property, perhaps, in this country who were ready to sell even at some loss in order to get out of the troubles connected with land-ownership in Ireland?—I am quite willing to accept that amendment, my lord.

24010. I think it is a more accurate statement?—I think it is. This memorandum had to be prepared in a great hurry and lodged nearly at the end of last month, and we had only a few days to prepare it. I am quite willing to accept that.

24011 Mr. O'Kelly.—Do you think that those landlords of whom Lord Dudley spoke, such as Lord Londonderry and Lord Bath, sold at a loss?—I have no means of knowing what their income was.

24012. Chairman.—You say that it is a new idea that a tenant could purchase the fee-simple of an acre of land for the price of a cow with the difference that he has to pay for the cow in cash, but can procure a loan to pay for the land. But why is it a new idea—are you going to challenge the whole policy of land purchase?—No, but I mean that the average price of an acre of land in Ireland is £13 4s. is a new idea.

24013. Mr. Bryce.—There is land in Essex being sold at £10 an acre?—Yes, but it is a great deal more valuable here. It is more valuable in Ireland than £10 an acre.

24014 I mean is there any use in talking about an absolute price when the whole thing is relative?—That is what I say. The Estates Commissioners are in favour of an acreable price, but I object to that.

24015 Chairman.—Then you say that in contradistinction to the views of the majority of the Estates Commissioners, there seems to be good ground for laying down certain propositions, one being that so far as the prices are now higher than previously, the fact is due to the better class of most of the estates. I don't quite follow that. I should

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have thought that the number of years' purchase, if it was equitable in one case would be equitable in the other. If the land sold before 1903 was worse land, the rent of that land would be lower than the rent on the better land, would not it?—Yes.

24017. If you got fourteen years' purchase of the lower rent, and fourteen years' purchase of the higher rent, is there any great difference in calculating it that way?—But my point is here that prices have improved because the estates that are being sold are of a better class than such, for instance, as were sold in the Encumbered Estates Court.

24018 What do you want to show from that?—That if prices are higher there is a good reason why they should be higher—the well-circumstanced and prosperous condition. I thought that the Estates Commissioners held that that was a better security for an advance than, we will say—but I don't agree with them—an estate with uneconomic holdings on it. It is natural that the advance would be better secured, and that a better price should be given. I do not agree with that view of it, but we will come to that later on, when dealing with economic holdings.

24019 Sir Francis Mowatt.—When you say increased price you mean increased number of years' purchase?—Yes, that would be it.

24020. And they now receive a greater number of years' purchase than they did formerly?—That is the argument used in the Estates Commissioners' report that I am emphasising, that they are receiving more. They say the average since 1903 has been 24·8 years' purchase as compared with a smaller figure prior to 1903 I say that is so, but there is, perhaps, good reason for it, for the class of estates that have been sold since 1903 are those which I call the better estates. They are estates, which are better security for advances in the eyes of the Estates Commissioners

24021. Chairman.—That is the point which I could not understand. Why should the actual number of years' purchase be more even if the land is better?—Because there is no uniform price at which land is sold throughout Ireland. It includes fourteen years' purchase.

24022 Is it not based on rent?—That is the basis on which it is calculated.

24023. But if it is calculated on rent, why should the number of years' purchase for good land be higher than for bad land, because in the latter case the rent is lower than in the other case?—But look at it in this way. Surely a well-secured rental on an estate is more valuable to an owner than a less well-secured rental

24024. Ah, you are bringing in another element altogether. I am talking of low rents on bad land and higher rents on better land?—You have to bring in many elements. None of these questions can be decided on one view only. I say a well-secured rental is more valuable to the owner than a less well-secured rental. The Court of Appeal have decided that even in the case of a badly-secured rental, where arrears are long due, the arrears are an element that ought to be taken into account by the owner in fixing the price which he will take for his interest, and that where there are arrears on an estate, the owner cannot be expected to sell that estate at the same price as if there were no arrears.

24026. But the question of arrears as being a reason for a high price seems to me to be an excrescence on the question altogether?—No; let me put it this way, that a well-secured rental is better and more valuable to the owner than a badly-secured one, and, therefore, he has a right to look for a better price for it, but even in the case of a badly-secured one the Appeal Court held that he might claim a better price. That is what the Appeal Court decided, and the Estates Commissioners would not agree to.

24027. Chairman.—That appears to me to be a departure from the original point.

Most Rev. Dr. O'Donnell.—Are you aware, Mr. Boyd, that the Estates Commissioners have put it into a paragraph of their report that the number of years' purchase of the rental has gone up 40 per cent.?—Yes, that is one of the paragraphs I want to attack. I am sorry, Lord Dudley, that I have been unable to convey my meaning.

24028. Chairman.—I do not want to carry it any further as I understand it. Still, the only proper way in which you can make a comparison is when you take the rental unaccompanied by any extraneous conditions such as insecurity of that rental or the existence of arrears Those are conditions which may affect the bargain, and the court, you say, upheld that view. But if you take the case where the rent is perfectly secured, or where the land is unaffected by the question of arrears, I do not see why the number of years' purchase of good land highly rented should be greater that the years' purchase of poor land lowly rented?—Well, I give you an illustration, which perhaps is an extreme one, but it will convey to you what is in my mind. If the rental is offered for sale of a property in the Seven Dials selected for a site and an equal rental offered for sale in the heart of the city.

24029. The price will not be the same, of course?—That is my point.

24030. But is the ratio the same—that is the whole thing?—That is my point. I am taking the rentals at an equal amount, £100 in the one case and £100 in the other Will they sell for the same money?

24031 Surely nobody suggests that for the same capital sum you can purchase an equal amount of good land and bad land?—No; that is why the capital sum increased by 40 per cent.

24032. Surely it is not a question of the capital sum?—Oh, pardon me. The years' purchase of the rent must be a capital sum.

24033. If you were to buy land in St. George's Hanover Square, you would not calculate the same number of years' purchase as if you were buying land in the Seven Dials or in Connemara?—That is my point.

24034. What I mean to say is that if you take years' purchase as the basis of calculation I do not see why 14 years' purchase of the rent in Connemara should differ from 14 years' purchase of the same amount of rent in Meath. You select two cases which are obviously different, but the basis from which you start is also different. You have a rent-fixing court in Ireland, and the rent-fixing court says that land in Connemara will bear a certain rent per acre?—Yes.

24035 It says that the rent in Connemara should be a shilling an acre?—Yes.

24036 It says that in Meath the rent should be 10s.?—Yes.

24037. These are arbitrary figures, but I use them for illustration?—Yes, quite so.

24038 You proceed then on years' purchase?—Yes

24039. In the one case it is fourteen times one and in the other it is fourteen times ten. Obviously the price of the Meath land will be higher than the price of the Connemara land?—Certainly.

24040. And nobody would ever suggest to the contrary, but in each case the standard of comparison is the same, namely, fourteen years?—Yes; but surely what I say is taking an extreme case, to compare the sale of two rentals of equal amount in the Seven Dials and in the heart of the city.

24041. If you assume that the conditions governing rents the Seven Dials and the city are the same as the conditions governing Meath and Connemara I am prepared to argue that there is no reason why a greater number of years' purchase should be given in one case than in the other?—I said I was taking an extreme case to bring out clearly my view

24042 If you have a judicial Commission in London which fixes rent in the same way as rents are fixed in Ireland, and that therefore the two cases are comparable, then I am prepared to take the London illustration, and to contend that 20 years' purchase of the rent in Seven Dials would be as equitable as 20 years' purchase of the rent in St. George's, Hanover Square?—It is more particularly to an acreable rent that I take a very strong exception. An acreable rent is an absolutely wrong basis.

24043. Most Rev. Dr. O'Donnell.—But would you consider on the whole that land sold before 1903 is pretty much as good security as the land sold subsequently?—Well, in Ireland it is almost impossible to lay down a general principle of that kind. Land varies so much, and a large quantity is sold in encumbered circumstances.

24044. Sir Antony MacDonnell.—You say, "In the first place that we have the frank announcement that the Commissioners are at variance among themselves as to the primary scope of their functions," and you also say that they differ as to the instructions to Inspectors?—Yes.

24045. Will you look at page iv of the Report?—

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I suppose the passage you refer to is that beginning "The instructions of February, 1905——"?—Yes.

24046. Down to the end of that paragraph?—More than that—down to the end of Mr. Wrench's comment.

24047. That paragraph relates to what the Estates Commissioners consider were illegalities in the Regulations of 1905. Do you object to the Commissioners stating that there were illegalities in these Regulations?—I do not see that there is any reference to illegalities.

24048. I will read the paragraph: "The instructions of February, 1905, continued in force until 5th March, 1906, when they were withdrawn by the Lord Lieutenant. Fresh instructions, dated 9th March, 1906, which are now in use were prepared and issued by the Estates Commissioners themselves. The instructions of February, 1905, and also the Regulations issued by the Lord Lieutenant in July, 1905, under Section 23 (8) of the Act contained provisions which in the Commissioners' opinion seriously impeded the expeditious and efficient working of the Act, especially in the matter of the acquisition of untenanted land, the restoration of evicted tenants, and the speedy purchase of estates under Sections 6, 7, and 8. The effect of the judicial decisions given during the year whereby the Regulations of 1905 were modified or declared *ultra vires*, and the issue of new Regulations in 1906 have to a great extent removed the difficulties which the former Regulations had caused. (Mr. Wrench does not join in the views expressed in the above paragraph. In his opinion it is clearly the duty of the Commissioners to comply with any Regulations issued under the Act by the Government of the day, and it does not appear to him to be proper that the Commissioners should discuss differences of view and policy which underlie the different regulations and instructions issued.)" Now, I ask you this question. Are you of opinion that the Estates Commissioners should proceed without comment and without remonstrance to administer regulations if they were convinced that the regulations were illegal?—Oh, certainly not.

24050. Very good. Then what is the relevance of your first objection?—The relevance is this, that where you find the Commissioners themselves at variance on one of the points of the primary scope of their functions it is a serious matter for the landlords.

24051. But the Chairman asked you whether if there is a difference of opinion between three gentlemen you are to take the opinion of the minority of one or the majority of two?—Of course the majority, that is the serious part of it.

24052. Then it goes out as the opinion of the body?—Quite so.

24053. And where, as in this particular instance, you have a higher Court of Appeal confirming the view of the majority, do you think that the statement you now make that it is a serious thing for the landlords of Ireland ought to be maintained?—I think it is a serious thing that one of three Commissioners, who have such powers placed at their disposal, should be at variance with his colleagues to the extent indicated in the minority report.

24054. Would not that point to the want of care in the choice of the dissentient member?—I cannot say. That would be rather a strong order. It might be so from your point of view.

24055. I beg your pardon, I was asking you. You must not impute to me any such view?—Well, you put it to me.

24056. Do I understand that you blame the majority for putting forward their views?—Not at all.

24057. Would it not be better to blame the minority?—I do not think it would be considering——

24058. Then you would allow both to express their opinions?—I cannot do otherwise.

24059. I may point out to you in justification of the view of the majority that there were three points upon which these rules and regulations of 1905 were challenged?—Might I ask you to defer that till tomorrow, when I have had an opportunity of seeing the rules?

24060. Let me tell you what these points were. One was in regard to intimidation. That is to say, a rule was made which prevented the Estates Commissioners from proceeding in any estate where at any previous time there had been intimidation or boycotting. The next was a prohibition on the Estates Commissioners from creating fresh tenancies. Of course it followed that if fresh tenancies could not be created evicted tenants could not be restored except to their own original holdings. The third was that the Estates Commissioners were precluded from dealing with the evicted tenant question unless the estates from which tenants had been evicted had come within their cognisance. These were the three points which were found fault with when the rules were created, and the new rules were modified in order to permit the Estates Commissioners to deal with those points?—I see.

24061. You refer to the paragraph of the Report dealing with the principles for estimating security. Will you tell me what objection you find to those principles?—I think it would be best embodied by reading Mr. Wrench's minority report on that paragraph.

24062. This is Mr. Wrench's statement: "It appears to Mr. Wrench that the above observations on pages vi. and vii. assume that the Commissioners have power, even in cases of direct sales to fix prices; for that in his opinion, is what the claim to review prices fixed by the agreement of the parties, and apart from any question of security really comes to. Mr. Wrench does not join in this view. He has always understood that the price was a matter to be arranged between landlord and tenant, and that it was for them to settle what the purchase price of the holding was to be, and that when they had so agreed it was the duty of the Land Commissioners under the Act, while carefully guarding against fraud, duress or intimidation on either side, to measure the amount of the advance, having due regard to the security which the holding as it stands would afford for the repayment of the advance applied for. Mr. Wrench holds that the Estates Commissioners have neither jurisdiction nor machinery for fixing of net fair rents, the ascertainment of such fair rents being otherwise provided for by the Land Act." Where in the principles laid down on page v. does the principle of the fixing of fair rents come in?—Possibly it does not.

24063. There is not a vestige or a trace of fixing fair rents?—But that is what is done.

24064. It is not in the rules?—I have not seen the rules.

24065. Here is the paragraph: "The following principles of estimating the amounts for which holdings may be held to be security have suggested themselves:—(*a*) The principle usually adopted by banks, insurance companies, or other lenders of money on security; (*b*) The principle deduced from the Act itself; (*c*) The personal opinion of the Inspector; (*d*) The principle adopted in previous Land Purchase Acts." Is not that statement of principles in itself exhaustive?—Far from it, as interpreted by the Estates Commissioners.

24066. That is another matter?—But that is the point.

24067. You would be satisfied with that statement of principles?—It sounds all right. But when you come to look into the working it is different.

24068. Can you give me a single concrete case in which you say that the operation of these principles has worked injustice to landlord or tenant?—No, I can not.

24069. Thank you. I don't think I need press that any further?—Before you pass from that may I say that some of the remarks of the Estates Commissioners with reference to the probability or possibility of the future free importation of Canadian cattle and other matters which they refer to seem to me to be quite wrong.

24070. I would ask you if you can point to an instance in which their discussion of these economic questions has influenced the fixing of their prices?—How could I possibly know.

24071. You have had experience as a land agent and have access to the information of the Landlords' Convention. Surely if the Estates Commissioners could be confronted with a concrete case in which their principles were proved to have led to injustice that would be the best way of bringing them to book?—Certainly, but it is impossible. How can we know what passes through their minds or in their communications? The Estates Commissioners themselves have the information upon which the result is arrived at. We object to the result, we think it is not fair, but how can we say how it is arrived at?

24072. Let us come to close quarters there. Estates sold may be classified as follows: Estates sold within the zones, estates sold outside the zones, estates purchased in the Land Judges' Court, and estates sold direct

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under Section 6 to the Estates Commissioners. Is that an exhaustive classification?—No, estates sold to the Congested Districts Board.

24073. We are dealing with the Estates Commissioners for the moment?—Then it is exhaustive.

24074. You will agree that estates sold within the zones form the largest category of the estates sold?—I think so.

24075. In regard to estates within the zones the function of the Estates Commissioners in regard to the fixing of the price between landlord and tenant is purely ministerial?—They say so.

24076 In law it is?—I think it ought to be.

24077. In fact, is it not purely ministerial except in one case, where the circumstances are such that the Estates Commissioners conceive the security so bad that they refuse to declare a property an "estate" at all or to advance any public money upon it? Have the Estates Commissioners any other method of defeating the operation of the zones except by refusing to declare a property an estate?—I do not think they have directly, but they can practically effect it by delaying to declare it an estate.

24078. We will deal with that later on The only justification they would have for not passing through a bargain within the zones is when the security is so bad that public money cannot be advanced upon it?—I do not think they have any right to do it.

24079. There was a gross case of that sort at Kinvara, Co. Galway, where under the former law the Land Commission declared the Blake-Foster estate was so bad as a security that they would advance nothing at all upon it. When this Land Act was passed agreements were made with the tenants within the zones The tenants within the zones would have got a reduction of price, and they were very anxious to get a reduction of price, regardless of what the future might bring, and the owners and managers of the estate applied to the Estates Commissioners for the purchase price, which I think was £8,000, although a few years ago the Land Commission refused to advance a penny upon it If they had advanced that £8,000 the taxpayer would lose his money You could not collect the annuities?—That is an assumption.

24080. This is what they agreed upon. The Estates Commissioners refused to declare the estate within the zone, challenged the landlord to appeal and bring the case into the courts, and to test by judicial proceedings their power to abstain from declaring a certain property to be an estate The challenge was not accepted, and I think we may accept for our purposes that the Estates Commissioners are competent to refuse to declare any property an estate if they consider it is not sufficient security for the advance of public money?—You must not take me as agreeing with that.

24081. I don't expect that you will agree. If within the zones the functions of the Estates Commissioners are purely ministerial except in that one case, what have you to object to in the exercise of their functions in regard to estates within the zones?—I object to the very case that you have stated, and any similar case that may arise.

24082. You refuse to give the Estates Commissioners the power of excluding a property from the zones?—I do not believe the Act gives it to them.

24083. You do not believe the Act gives them the power. If you have the courage of your convictions why don't you challenge them?—We have been trying to get a case, but have been unable to do so.

24084. I do not think there need be any difficulty about getting a case?—I should like to explain that when first the Estates Commissioners began to administer the Act of 1903 they used to declare properties provisionally estates, a thing wholly unprovided for in the Act. They found out their mistake, and they do not now provisionally declare them an "estate." We landowners say that the power to declare property an estate was given to them in order to facilitate the sales of land It was no longer holdings that were being sold, but estates The landowner may agree to sell on his part, and the tenant may agree on his part Other parties may not agree It was to enable the Estates Commissioners to draw a ring round and say "this is an estate." We say surely there is nothing unreasonable in a landowner asking the Estates Commissioners to declare a property an estate before he goes to any expense in negotiations with his tenants which may turn out fruitless They have a discretion. They may either declare it or refuse to declare it. Is there anything unreasonable in a landowner asking the Estates Commissioners whether he is in the position which the Act tells him he is in? The Commissioners won't do that. They won't declare it to be an estate till the last tap of the hammer—till everything has been gone through. That may take some years, and after all it may never be declared an estate. The landowners feel this to be a great grievance, and it deters many men from selling when, besides the long delay, there is this uncertainty connected with it. They do not know whether they are actually in the possession of the article which the Act empowers them to sell.

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24085. Before I pass on I may just tell you that we recognise that there is a certain hardship in this matter in respect that when a property has been declared an estate you can go at once to your banker and draw money on the strength of it?—Quite so.

24086 That is the bottom of the whole business?—Yes; but there is more than that. Take the case of a landowner whose estate is encumbered and who has to pay four or five per cent interest to his mortgagees. As soon as the property is declared an estate the interest drops to 3½, and the difference between that and four or five per cent. means a great deal, and if the declaration is delayed it may even mean ruin.

24087. Why don't you challenge the question about the non-declaration of estates in the judicial courts? My case is stronger than I thought. I find it has been challenged, and the power of the Estates Commissioners has been upheld?—Yes, but in what court?

24088 In the Judicial Commissioners' Court?—Well, of course, they would probably decide that the Commissioners had a discretion, and that they should be allowed to exercise it.

24089 You say you cannot get a case with which to appeal to the Court from that judgment?—I might get a case, but there might be some item in the case which might make it undesirable to appeal. I don't want to commit myself

24090 You say there is a fine spirit of independence in the contemptuous treatment of regulations that the Lord Lieutenant was empowered to make, coupled with undisguised partizanship and a controversial handling of contentious issues which, as a rule, are discreetly avoided by State officials. Will you show me a single passage supporting this statement of yours?—What you have already read out to the Commission on page iv.

24091. Do you think that that really supports your statement as to there having been hostile criticism of the Act of 1903, contemptuous treatment of regulations, and controversial handling of contentious issues?—That is in another part of the report.

24092. In regard to this particular thing?—The contemptuous treatment of regulations?

24093. The Estates Commissioners explain that the expeditious working of the Act was impeded by certain reasons. These reasons have now been removed by the Appellate Court and they are now able to go full steam ahead. What was contemptuous in stating that?—I would have thought there was no need for any reference at all to that Why were they not content to go on?

24094. Why were not they content with the illegal regulations?—No. They had all they wanted. What was the use of pillorying anything like that?

24095 In reporting on their proceedings they have to say first why they did not go on quickly, and then what the reasons were that they were able to go on quickly afterwards That is a statement of administrative action. Where is the contempt?—I think it would have been quite sufficient to refer to the former regulations and the latter regulations without saying that they seriously impeded expedition. That is casting blame. In this country we have not been in the habit of thinking that officials, even high officials, have any right to wander outside their immediate department to throw stones, and I think that is what was done in this case.

24096 Very good; we won't press it?—If you like also I am willing to accept a certain amount——

24097. Of modifications?—No, but of Irish ornamentation and embroidery about that paragraph.

24098. I am going through it?—No, but I mean the one you have criticised. There was a certain amount of fluency of language while the pen was in my hands

24099. I think when we have done you will withdraw the paragraph altogether?—That paragraph is all wrong I will read it as it ought to be.

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24100 You say Mr. Wrench's statement in the Burrowes case was confirmed by Judge Ross?—By a statement made; not by a judgment.

24101. This is very interesting. Judge Ross in dealing with this case made certain *obiter dicta*?—Yes.

24102. These *obiter dicta* were communicated to the Estates Commissioners, and the Estates Commissioners treated them with great formality, although they were of opinion that Judge Ross was wrong both on the facts and on the law, and they listed that particular case and sat, all three of them, to hear the arguments brought forward in support of Judge Ross's statements? Would you be surprised to hear that no person appeared to support Judge Ross's statement?—No, because I know the facts.

24103. Would you be surprised to hear that Mr Wrench, whose statement you say was confirmed by Judge Ross, made the following remarks:—"I think it is a very great pity that there should be the smallest friction between two bodies who are carrying out the same work. Our sole object is to get the land sold as fairly and as quickly as we can, and it is a great pity that any other person"—this is very unkind on Mr. Wrench's part in referring to Judge Ross—"should make remarks which are not of a purely business character." That is the way in which Mr. Wrench treated Judge Ross's reference. So you may take it that Judge Ross's remarks in the Burrowes case were totally inapplicable to the circumstances, and at all events he did not confirm the statement of Mr. Wrench, as you seem to think?—Of course, in reference to that, I had no opportunity of knowing that, as you know, when I wrote this The statement that I refer to was the statement in the public Press, but it appears now from what I have heard that in that Burrowes case through some mistakes of subordinate officials or something, they were not aware of the exact nature of the rents that were in the rental. They were second terms.

24104. You referred to the case of the Treasury *v.* Garnier E. Holmes You have also been misinformed here. The facts are these: The decision in the case of the Treasury *v.* Garnier E. Holmes merely decided that the vendor was entitled to the bonus absolutely, and that it was not to be added to the purchase money to satisfy incumbrances. The question for decision was not raised by the Estates Commissioners, but by the Treasury, whose objection was overruled by the Court The Estates Commissioners had nothing whatever to do with the raising of the question decided by the Court, and the decision in no way related to any point on which Mr. Wrench and his colleagues differed?—May I ask what you are reading from?

24105. I am reading from a statement which has been placed before me?—I have not got it. Am I not to know who your authority is?

24106. You are quite at liberty to verify the statements. I will be responsible?—I think we are placed in a very awkward position. We can only judge of the Commissioners by their public words and acts. You won't even give me the authority on which these things are stated.

24107. This is a statement of fact. It is a decision of the Court, and will be found in the Irish Law Reports, page 29?—Thank you.

24108. In regard also to the J. D. Crosbie estate, you have been badly informed?—I am very sorry.

24109. In the case of the Crosbie estate, Co. Kerry, the Commissioners referred to the Judicial Commissioner for decision the question whether, in the advance applied for by tenants to purchase their holdings sums could be included which the vendor intended, when advanced to him by Land Commission, to hand to the tenants to be expended by them on the improvement of their holdings. The reference is page 115 of the Irish Laws Reports. In the course of the arguments in this case the Treasury urged that nothing should be included in the advance applied for except the purchase money of the holding. In the same case the Commissioners referred for decision to the Judicial Commissioner the question whether arrears of rent could be included in advances applied for by tenants to purchase their holdings and the Treasury appeared and argued against the legality of their inclusion. The Judicial Commissioner held that one year's arrears of rent, but no more, could be included. Both the Treasury and the vendor appealed, and the Appeal Court held that if the sum applied for fell within the zones, arrears for any number of years could be included. The Estates Commissioners expressed no opinion in referring the matter for decision. Now, I put it to you that you have made a statement in this paragraph that the three Estates Commissioners are in the habit of differing, and you gave three cases in support of that assertion?—No, I made a statement at the beginning of the paragraph that the landlords were dissatisfied with the administration of the Land Department. The reference to the Estates Commissioners quoted is a bit of Irish embroidery, but I was dealing with the matter of the administration of the Land Department.

24110. You remark that since the Report has been published Mr. Wrench's minority view on certain points have been urged as against the view of the other Estates Commissioners?—I have pointed out that it is not a correct statement.

24111. You have dealt with the Burrowes case, the Holmes case, and the J. D. Crosbie estate; these are the judgments which you bring forward in support of the contention that landowners are dissatisfied with the administration of the Land Department?—I quite see, but from the first I told you that that paragraph was all wrong.

24112. These were the reasons why I thought you would withdraw the paragraph?—From the first I told you it was all wrong.

24113. Whatever be the conclusion come to by the judicial authorities the Estates Commissioners were in no way to blame for that conclusion. They only referred points of law upon which they were doubtful to the decision of the judicial authorities in accordance with the provisions of the Act. Therefore I think you ought to exonerate the Estates Commissioners from this charge?—I did not intend this to apply to them, and I think I would be justified in striking it out entirely.

24114. Thank you?—I should like to read part of the Lord Chancellor's judgment, which bears strongly on the question before us:—"Before the Act of 1903 the Land Commissioners were not bound to make the advance unless they were satisfied with the securities, but it was not obligatory to make it in all cases coming within section one, sub-sections one and two. The same words were used—'holding' and 'purchase money' or 'price'—in section one as in the original legislation 'Holding' was a parcel of land held under a contract of tenancy; it was a rent-producing subject which might have arrears attached to it as a liability, affecting that holding. When a tenant owed an arrear out of his holding and asked his landlord to sell he could not expect that he could get it for the same price as if he owed none, especially where the agreement discharged the arrear due The arrear was not an element foreign to the price, nor could it be considered as a mere personal debt due to the landlord like the price of goods sold and delivered, or a promissory note. Naturally it would be regarded where the landlord was parting with the holding. He did not think it possible to contend that the landlord was bound to estimate the price of each holding as if there were no arrears due, and if it were a legitimate subject to be entertained it was legitimate to consider the price. The object of the legislation was to give an inducement to the tenant for life to sell discharged from the arrears by force of the agreement, by granting him a charge on the purchase money for one year's arrears. It was not contended that apart from the language of the affidavit, the agreement could be gone behind when a purchase price was specified." And on the same occasion Lord Justice Fitzgibbon said: "The object of the Act of 1903 was to enable tenants to buy and landlords to sell. The idea had been put forward that each agreement should have been dealt with separately and independently, and the Court was asked by the Treasury to hold that no estate could be sold in which it was not possible to differentiate between the prices allowed. It was asked that they should hold that this was not contemplated by the Act. Mr. Justice Meredith had held that the effect of sub-section 8, section 24, was to legalise in some way the addition of a year's rent to the purchase money. The section appeared to his Lordship to have a very different effect, that it absolutely recognised the entering into the calculation of the purchase money the consideration of arrears in general; it was to prevent a limited owner when segregating the purchase money from keeping for himself more than was just and more

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than a fixed proportion." Am I right in saying that up to the date of that ruling the landlords were quite satisfied with having one year's advance in respect of arrears?—I know of no dissatisfaction on the part of the landlords with an advance limited to one year—I think they have acted very generously in regard to it.

24116. The view taken was that one year's arrears might be added. The Treasury contended that there was no justification in the Act for the addition of any arrears, and this case was placed before the Judicial Commissioners, who decided that one year's arrears was legal?—Yes.

24117. From that the Treasury appealed to the Appellate Court?—Both appealed in the Crosbie case.

24118. At all events the landlords have got a new judgment which they never expected to get?—I cannot see that they have got all that they expected.

24119. You really were not abusing the judicial courts, seeing you got so much out of them?—Oh, no.

24120. The Estates Commissioners at all events are free from all imputation and blame in this matter?—I do not blame them in that.

24121. You say that Mr. Wyndham indicated 25 years' purchase of second term rents as the fair selling price under the Act. Can you show me what authority you have for that?—These words are taken from Mr. Wyndham's speech - "It is a safe estimate to say that the money side of this problem is £4,000,000 worth of second term rents in any one year."

24122. What speech is that?—I am afraid I cannot give you the volume of Hansard.

24123. Because I think if you had gone on a little bit longer you would have found that he said: "This is an elliptical argument, a speculative argument"?—I have got some doubt of that.

24124. I believe it is true. In the same volume of Hansard I find the same language?—Does Mr. Wyndham deny it?

24125. Your words are taken from page 188 of Vol. 120 of Hansard, and in the same volume, a little lower down, Mr. Wyndham says it might turn out that the total amount of purchase money might only be 90 millions. If it were only 90 millions, the same qualification would bring it out at 22 years' purchase. That is on page 1090 (16 June, 1903). Mr. Dillon interjected that he had said he would wait many more years before he would close with a bargain for 25 years' purchase, and Mr. Wyndham retorted that that was not the Bill before the House. "It was a Bill providing instantly for 22 years' purchase of second term rents, and for something over 18 years' purchase of first term rents." It is not a very substantial point?—I think it is very substantial.

24126. But in the Act itself there is not one word to show the price at which land should be bought?—Oh, no, it is a voluntary arrangement.

24127. Twenty-one and a-half years' purchase would be the lowest price at which they could be bought under the first term zone, and 18 years' purchase the lowest price on the second?—About that.

24128. And possibly Mr. Wyndham had that in view, and was looking at it from the point of view of conciliating adversaries; but in the Act price is not mentioned at all?—That is so, because it is a voluntary Act.

24129. We all agree that second term rents ought to form the basis, and that is what the Commissioners are doing. You don't make any statement that the Commissioners are not basing their operations on second term rents?—No. I have not done so.

24130. Regarding what you say as to the comparison of prices, the Commissioners give many sorts of comparisons. They give comparison over short terms of years and over long terms of years, both under the old Acts and the present Act, and provided that they divide the gross purchase price by the gross acreage is not the comparison by acreage as far as the work has been done equally useful as the comparison by years purchase?—Certainly not. It is absolutely false, and I am prepared to show you that.

24131. Mind you, it is not for the purpose of basing future operations on it at all, but with the object of comparing the prices before the Act of 1903 with those obtained since the Act of 1903?—It is most misleading.

24132. Do you admit this; that the same quality of land on the whole has been sold before the Act of 1903 and since?—Certainly not.

24133. Why?—Because I have no knowledge on the subject.

24134. Then you cannot deny the assumption which I put forward?—Yes, because I can show you this: before an average can be of any use there must be similarity between the things compared. That is elementary.

24135. Quite so?—They value estates by the acre which contain large tracts of mountain and very good lowland grazing and arable land. What possible sense can there be in striking an average acreable rent on that, and comparing it with another estate unless the other estate is in identically the same position?

24136. Before the Act of 1903 large tracts of mountain and arable land were sold for, let me say, several million pounds. Since the Act of 1903 large tracts of mountain and arable land have also been sold, say, for ten million pounds. As a rough way of comparing the prices don't you think you would get some sort of an indication by dividing the acreage into the price of the land sold before 1903, and doing the same thing with the land sold since 1903. Mind it is not a guide for future action. It is merely a comparison?—The results you would get would be most misleading. What I object to in its appearing in that report is that it is a very popular way of indicating the value of land. The tenants would jump at it, and insist on it at once. Let me use a very rough and ready illustration that would be on all fours analagous to what they are doing when they find out the acreable prices of land. At the end of the season the omnibus companies weed out their stock, and sell off their horses, say 20 omnibus horses at an average of £10 each. At the beginning of the season in London there is, say, a sale of 40 carriage horses for £1,200, which is an average of £30 each. Is it fair to say horses sell for £10 in one case and £30 in the other? The things are not comparable.

24137. But if before the period you lump the carriage and omnibus horses together, and do the same thing afterwards?—If the proportions between them are right, but you have to prove that they are. I think you will admit at once that it is a fundamental principle of averages that there can be no fair comparison between averages unless the articles compared are practically similar.

24138. If you have land sold all over Ireland, land sold in the various counties before a certain date and land sold after a certain date, there is a presumption that there is some sort of similarity?—No. I know land in Kerry, on Lord Lansdowne's estate. I know 30 miles of it on the other side of Kenmare Bridge. The Government valuation taken as an average over the whole district is 1*s* 11*d* an acre. There is good grazing land on it, the valuation of which is ten shillings an acre. What guide is it to say that the whole of that has an average valuation of 1*s* 11*d*., because there are tracts of mountain that have a valuation of only threepence or fourpence per acre?

24139. You understand that the Estates Commissioners have never made such a valuation a basis for their action?—Supposing that, yet it is most mischievous and damaging to one of the parties that come before them in quasi-judicial proceedings to publish such a statement as that. That is my point. That is one of the reasons we have no confidence in their impartiality.

24140. You must admit as far as our examination has gone to-day the reasons which you gave for your want of confidence in their impartiality have been shaken?—None, except those judgments that I did not know of. Nothing else has convinced me that I have made a single mistake. But when we come to individual cases you will find a great many more additional reasons that I have besides their report.

24141. Sir JOHN COLOMB.—In the questions which I am going to put I wish you to understand that the attitude of my mind is not concerned with a question of individuals or a question of particular differences between individuals of any Department, but with broad grounds affecting the interest of those owning property in Ireland?—Quite so.

24142. I understood you to say just now in reply to Sir Antony MacDonnell that you quite agree that second term rents were the basis of purchasing prices?—Yes; second term rents or their equivalents.

24143. Do you take the amounts of second term rents as fixed as representing the true value of the landlord's interest in holdings?—I don't think that the landowners in Ireland would, as a body feel justified in seeking to go behind the fixing of second term rents and the principles of the Act of 1903

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24144. I am not asking that question. You realise a difference between the second term rents and the real value?—Yes.

24145. Do you agree or not agree that whereas we may take the landlords as willing to have second term fair rents taken as the basis of purchase prices, that is not to be construed as an admission that they regard second term rents as fixed by the Court as representing the true letting value?—Quite so.

24146. Sir Antony MacDonnell asked you the general question whether if you take the average standard of prices as the basis of fair rents at a certain day, and compare them with the average standard at another, any general conclusion can be determined by the comparison; but is it not the fact if you compare the prices of to-day with those of 10 or 15 years ago that the prices of agricultural produce have risen in the meantime?—Yes; but that return deals with fair rents.

24147. But would not the change in the prices of agricultural produce affect any comparison of the prices given for land, as between one date and another?—Yes but I come on to that further on

24148. Very well. I will postpone my question. Are we to take you as admitting that second term rents may be taken as the basis of purchase prices, that this is an admission that the system of fixing those rents in Ireland is at all fair?—I would like to say about that that I have seen a great deal of the operations of the Sub-Commission Court, and I think the men appointed take a great deal of pains and trouble over their work and when proper evidence is brought before them and it is thoroughly thrashed out, I think they do the best they can, especially the Court of Appeal. I am not at all inclined to say that the results are not in the circumstances as fair as one could expect. Of course, once competition rent is taken away there is absolutely no real test to apply from a political economy point of view; so you have to do the best you can.

24149. But having spoken highly of those who are appointed to fix rents, do you agree with one of the witnesses in answer to question number 16184, asked by me as to the Indian system of fixing rents?—I want that question. I was looking for it all the morning *

24150. It is comparing the arrangements and principles on which rents are fixed in India with the arrangements and principles on which rents are fixed here in Ireland; and if you look at the end of the answer you will see that having described the Indian system, the witness says:—"Comparing that process with the process here, where rents are fixed on no defined principles, but according to the personal opinions of those who fix them. Therefore," he says, "it would not be safe to base a revision of the rents here on the rents previously fixed" Do you agree with that?—I think the subject you were on was a sliding scale in prices.

24151. That was incidentally introduced?—I understood that reply to deal with that.

24152. That is a statement by a Government official of the actual facts as he sees them. I only want to ask you have you got any comment to make on that?—I can confirm it by Commissioner Bailey's evidence, for he says he thought good land had been reduced too much and bad land had been reduced too little. That confirms it, but I hardly see how you can avoid more or less wandering from the critically fair rent.

24153. There you have a statement indicating that rents are fixed upon no principle?—When he says it is according to the personal opinion of those who fix it, of course that is the case when you value any holding. Before the Land Acts were passed, when a valuer was employed and sent out on an estate, it was only his own opinion that he acted on.

24154 The pith of the statement for my purposes is that "fair" rents are fixed on no definite principle Now, I ask you this—do you think that the purchase price to be paid to a landlord ought to be based on rents determined on no fixed principle?—I don't agree with that about there being no fixed principle. It may be difficult to work it out, but there is, to a certain extent, a principle.

24155. Do you agree with this, that the Land Commission have never laid down any general principle for regulating how the rent is fixed in Ireland? I remember one Commissioner, Commissioner Baldwin, describing it while he was still a Commissioner, as the Government letting loose eighty-four men on the rental of Ireland without instructions?—That I thoroughly agree with.

24156. I understood you to agree that the rents so fixed might be taken as a basis of purchase price? I produce a statement of a Commissioner that those rents are not fixed on any fixed principle, and I ask you now if, having stated that the rents are not fixed on any fixed principle, you think it is right to accept a purchase price based on those rents?—We cannot get behind the Act of 1903, and you would require to do so in order to modify that; but it is introduced into it, so I think I would not go beyond that. We are bound by the Act of Parliament.

24158 I don't ask that. I am merely asking you a question with reference to accepting the second term rents as the basis for fixing the actual purchase price of land?—Perhaps this is what I might say—there is no question that second term rents are much below what the competitive rent for the same land would be. There is no question of that.

24159. Sir ANTONY MACDONNELL.—Where do you get the competitive rent?—We have not got them. We have the second term rents.

24160. Where do you get the competitive rents with which to compare the second term rents?—It often occurs. I can give instances. I own town parks around Letterkenny. The tenants sought to go into the Sub-Commission Court and I had to prove that they were town parks, and the occupiers were excluded, except in one case where a publican had the town park and he had gone out and built a house on it, and we, through our leniency, or not seeing what was going to happen, did not mind, and he used that town park as an agricultural farm and got a fair rent fixed. The tenant of an adjoining town park gave it up. Within three days the tenant on the other holding came and took it at the town park rate, which is about three times the judicial rent of his other holding on the other side of the fence, and he was very glad to get it.

24161. There always is a difference between the rent of town parks and agricultural holdings—is there not?—Yes, certainly; but the land is the same on each side of the fence. Many cases arise like that.

24162. Sir JOHN COLOMB.—The pages you have read as a basis of discussion I take to be your reasons in detail for explaining the general attitude of mind of Irish landowners with regard to the purchase price being fixed by a Commission in which they have no confidence?—That is so.

24163. But you do not mean to convey by what you have said that the landowners of Ireland have confidence in the Land Commission fixations of rent?—No; I did not touch on that.

24164 Sir Antony MacDonnell asked you when you were answering his questions about certain principles of fixing value, have the Estates Commissioners any other mode of ascertaining value, but neither Sir Antony nor you mentioned a matter upon which I am going to ask you a question. In the case of tenanted land, do you not think that the estate books looked over for a period of so many previous years is a mode of ascertaining value?—That will open up a very large question.

24165. I merely ask you this. You had not that in your mind at the moment when in answer to Sir Antony MacDonnell you acknowledged there was no other mode?—I understood Sir Antony to refer to the Estates Commissioners estimating the prices of land already sold. On page 23 I deal with the matter of tenanted land.

24166. You were asked by the chairman as to the rise in the price of land since the Act of 1903. Has it not been declared by ministers, generally accepted, and within common knowledge, that at the time of the introducing of the Act of 1903, before the bonus and the additional facilities were given, the market for estates in Ireland was exhausted?—Yes. I think so.

24167. In your memorandum you state that the average rate per acre under the Act of 1903 was stated to be £13 4s. Would you give me your reference?—It is in the report of the Estates Commissioners, page 14, 3rd paragraph.

24168. To come to the general question, do I understand you rightly to complain not so much of individuals in the land Department as to which I deprecate further reference, but to the absence of some sort of principle which gives some sort of stability to the fixation of the price of property in Ireland?—No; I don't agree with that. I have no faith in dealing with

* See Appendix to the Third Report [Cd. 3414, 1907], p. 151.

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abstract ideas. In a case of this kind you must deal with a concrete subject, and the Estates Commissioners, who have given evidence before you, are the concrete subject, and I am going to deal with them according to the evidence which they have given, which I am contradicting. There is no use in dealing with abstractions.

24169. Do you deal later on with general principles by which you conceive it would be possible to relieve the land market of Ireland from the perplexity and uncertainty which prevail, and delay its operations?—I am afraid not, because I do not think it fell under the terms of reference.

24170. You have indicated to the Commission that landlords hesitate to sell owing to the uncertainty as to the action of the Commissioners in declaring properties to be estates?—Yes.

24171. Just to get it on the record, I will ask you categorically as to the reasons why this is a matter of such importance to the landlord. Suppose a landlord contemplates a sale he has to consider two things, the purchase price and the bonus?—Yes.

24172. Suppose he comes to an agreement with his tenant as to the purchase price, he then signs an agreement with each tenant as to the price he is to pay?—Yes.

24173. Those agreements are sent up in bulk to the Estates Commissioners, and they are binding on both parties?—Yes.

24174. It will be months before he hears anything more about it?—Most likely.

24175. Judging by the present rate of progress, it will be years before he gets his money?—Yes, five years.

24176. From the time he enters into an agreement with his tenants, he receives a percentage in lieu of rent on the agreed purchase money?—That is so. The percentage is not fixed. It is a matter of agreement.

24177. And the Estates Commissioners are only to pay him the agreed rate of interest if they receive it from the tenants?—That is all.

24178. Therefore, the landlord is in this position, that he is depending for his income and to pay his charges upon receiving a rate of interest on the purchase money?—Yes.

24179. If he does not receive that he has got no rights as against the defaulting tenants?—I think in some cases the landlord has been allowed to collect the interest, but it is not the rule.

24180. At all events if the Estates Commissioners don't receive the money they don't pay the landlord?—No.

24181. And in present conditions when a landlord, contemplating sale, makes his agreement, he is for months, and perhaps years, in that position?—Yes.

24182. And in the end if the Estates Commissioners don't declare it an estate the whole thing is at an end?—Yes.

24183. Unless the landlord sacrifices the bonus which is an element in his calculations determining whether he would sell or not?—Yes. The landowner is left completely in the hands of the Estates Commissioners in that respect.

24184. And the uncertainty resulting from the declaration not being made is a powerful deterrent influence?—Very much so.

24185. If the Estates Commissioners in the end do not declare it an estate, the landlord's position then would be, if he resumes his old status, he has arrears which have thus been accumulating on his estate?—Yes.

24186. Sir Francis Mowatt.—Are these arrears due to the difference between the old rent and the interest paid in lieu of rent during the interval?—Yes.

24187. Sir John Colomb.—It is a universal rule that the annual interest provided for in the agreement to sell is below the rent?—Yes.

24188. Therefore, while this state of uncertainty continues, the landlord is receiving less than his rent, and so arrears have been accumulating?—Yes.

24189. And if the Land Commissioners fail to declare it an estate, the bonus comes out of the money the landlord expected to receive?—The estate is not sold at all.

24190. Then the parties who agreed to sell and purchase resume their positions of landlord and tenant with these accumulated arrears, which the landlord must try to collect?—Yes, that is his position.

24191. And the alternative is?—The alternative is he must accept whatever suggestion is made to him in the way of sale by the Estates Commissioners.

24191a. And the effect of not declaring the property an estate would be that the landlord would lose not only the bonus, which was a material part of his inducement to sell but reduce his price?—Not declaring it an estate would prevent his selling at all. It must be declared an estate before he can sell.

24192. That makes it stronger?—Yes.

24193. Sir Francis Mowatt.—Before he can sell under the 1903 Act?—All properties sold under the 1903 Act must be declared an estate.

24194. Sir John Colomb.—Therefore, putting aside all differences with the Estates Commissioners and everything else, is not that a condition of things as existing now which is most prejudicial to the interests of the owners of property and operations of voluntary sales, by reason of the landlord not knowing if he offers his property for sale what his position will be in five or six years later?—Certainly. There are hundreds of landowners who would be willing to sell only for these difficulties.

24195. Sir Antony MacDonnell.—Is not it a fact that in addition to the interest which the landlord receives during the process of the sale he is also entitled to receive a year's rent in respect of arrears under section 24 (8) of the Act?—That is ultimately, when the purchase money is paid down in cash.

24196. Section 24 (8) provides:—"In the case of the sale of an estate where at the date hereinafter mentioned arrears of rent were due in respect of any holding on the estate, a sum equivalent to the amount of those arrears but not exceeding in any case one year's rent shall be paid out of the purchase money to the person who would have been entitled to receive those arrears for his own use. The aforesaid date shall be in the case of an estate purchased by the Land Commission the date of the agreement for that purchase, and in the case of an estate purchased by other persons the date of the agreement for the purchase of the holding." He is entitled to receive that?—Ultimately, when the money is paid and the estate sold.

24197. Is not it a fact that no arrears of interest payable to a landlord have accrued since the Estates Commissioners have come into operation?—Arrears in the purchase money?

24198. Arrears of interest payable to the landlord?—It is absolutely false. I can prove it to you.

24199. That there are arrears which have accrued on that point?—Yes.

24200. I shall be glad to receive the evidence?—Let it stand until it comes to its turn. It is a great cause of complaint on the part of owners who are in process of selling.

24201. What would you say to the explanation of the provisional declaration of a property to be an estate. If the property is at once declared an estate and if on inspection it is found that the property is in rundale, and that from any legal or other reasons the Estates Commissioners would be debarred from making an advance, the whole proceedings would come to an end, while on the other hand if you allow the provisional state to last then these obstacles can gradually be removed; land in rundale, by agreement between the vendor and the Estates Commissioners, may be excluded and the property ultimately declared to be an estate. In that case all the proceedings taken from the beginning would not go for nought, but would permit of completion on the original lines. Is not there an advantage in that?—I admit from that point of view there would be an advantage, but there are so many disadvantages connected with it on the other side that they very much modify that.

24202. You are disposed to admit that in this provisional procedure the object of the Estates Commissioners is not to impede land purchase but to assist it?—I would not impute the motive to them, but we say this, that they have no authority under the Act to provisionally declare an estate.

24203. I am satisfied with that. The object, at all events, of the provisional declaration is that the purchase Acts should operate if the estate were finally declared an estate, and that the whole of the proceedings should not go for nought?—Possibly, but some of the points to which you have referred as an advantage to be able to provisionally declare a property an estate, such as duress, can be worked in another way, so clearly it is not necessary in those cases. And as far as I know, and as far as the Estates Commissioners have reported, there have been only three known cases

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in which it was necessary. But there is the other question you refer to of rundale and congested estates, and the landowners feel it would be very hard indeed where they are in possession of property of that kind that it should be held over them to the last moment, and the amount of the purchase money as to which they agreed with the tenants cut down.

24204. Is not it a fact that in paying the interest to the landlords in that arrangement the landlords are relieved from all cost of collection, and the Estates Commissioners take it upon themselves to deal with the tenants, so that the landlord is scot-free from all costs of collection, and he receives his interest without any deductions?—He saves agency fees, and loses a good deal more in the smaller payments and non-collections.

24205. Sir JOHN COLOMB.—You say he saves the agency fees. Do you conceive it possible, even if a landlord agreed to sell that he can dispense with his agent until the transaction is complete?—No, but what Sir Antony asked me about was the collection of interest instead of the rent.

24206. I understood Sir Antony to ask you, is the landlord, having agreed to sell to the Estates Commissioners, from that time relieved of the trouble and expense of collecting his rents? That is his point?—The rents have ceased, but the agent is still necessary for the management of the property until it finally passes from his hands.

24207. An agent is not paid in two parts—one for the collection of the rent and one for the management of the property. Is it not the case that during the interregnum the landlord is not relieved of agency expenses by the fact that the Commissioners collect the interest?—I could give no general answer to that, because it is purely a matter of arrangement between the owner and the agent. I do not think many owners of large properties would continue to pay an agent the full salary he has been receiving for the collection of the whole rental once that collection ceases and the interest is being paid to him by the Land Commission.

24208. About arrears, if there is a breakdown at the conclusion of the interregnum by the property not being declared to be an estate, the landlord's only remedy is to resume possession as a landlord, and with the accumulated arrears that have been referred to or sell below the price he intended?—That is so.

24209. Is not it the case that the arrears of rent for over two years cannot be collected?—Yes.

24210. If the interregnum lasted more than five years there might be an accumulation of arrears that he could not easily recover?—It is only the difference between the interest and the rent.

24211. I ask you one general question bearing upon the questions I have been putting to you about uncertainty and delay. Do you consider that the uncertainty which prevails under the procedure existing as between the agreement and the completion of the purchase is a very considerable deterrent apart from the question of price to voluntary sales of land?—Undoubtedly.

24212. Most Rev. Dr. O'DONNELL.—Statements have been made that only two years arrears were recoverable. How far is that the case?—It stands in this way. Where there are arrears due by a tenant and you bring ejectment for non-payment of rent if you obtain a decree and serve notices under the Act of 1887 in those notices the arrears have to be set out, and if the tenant comes in and pays two years arrears he is reinstated in his holding, and the balance remains as a debt which can be recoverable by civil process, and not by ejectment process

24213. But it is recoverable as an ordinary debt?—Yes.

24214. The other question I have to ask is with reference to the much-lauded Act of 1903 It has been put to you that one of the purposes of that Act was to remedy a state of things under which purchase had practically ceased?—Yes.

24215. I have before me a paper* from which I find that in the year in which the 1903 Act was passed, when people might be expected to be unwilling to purchase, the amount of purchase money was £1,389,235 In fact little less than it had been in 1899 For 1900 the sum was lower, namely, £1,314,321. The amount increased in 1901 to £1,701,190, and in 1902 to £1,791,464 I am anxious to call your attention to the fact that apparently for the five years preceding the Act of 1903 the amounts advanced for the purchase of land were pretty uniform year by year, the average being over £1,500,000 per year?—Does not the figure for 1903 refer to the purchase money for estates, the completion of sale of which would take place in that year, although the application may have been made four or five years prior to then.

24217. That makes no difference in my question. I am taking the average of the five years. Year by year so much passed?—But the point was, that applications for sales had practically ceased. These applications were made four years prior to the date you speak of.

24218. What evidence could we have that the applications were made four years prior to that date?—It was stated repeatedly at the time in the House of Commons. Mr. Wyndham mentioned it.

24219. That was one of the arguments which were not understated in order to carry the Act, I should say?—No, I suppose they may have used it. They had to contend with a great deal of difficulties on all sides. I think, as a matter of fact, there were very few sales—that is that the applications for advances were coming in so slowly that it was necessary to pass an Act to bridge over the differences between the tenants and the landlords.

24220. Even if the purchases were going on at the rate I gather from this table it would be a laudable purpose to facilitate and greatly increase its progress?—I think it would be a great advantage.

24221. Mr. KAVANAGH.—In your memorandum you say, "Landowners, as a body, have a profound distrust of the Estates Commissioners based on their actions and words and their report and evidence before the Commission," etc. All this, I imagine, is based on the opinion you entertain?—And a good deal more.

24222. Would you have any objection to putting 'the Landlords' Convention" in place of "landlords as a body;"?—We represent the Convention, but if you let it stand till I have dealt with the whole thing I shall be happy to listen to any suggestion you may make.

24223 You said "landowners as a body." That means the whole of the landowners of Ireland, does it not?—Landlords as a body I mean.

24224. I suggest you should use the words Landowners' Convention?—And the Landowners' Convention represents the landowners of Ireland.

24225. I beg your pardon. There is a large minority?—If you let this stand until later on I will explain

24226. Mr. BRYCE.—Before the adjournment you had a long discussion with the Chairman with regard to the point of the equivalence of price. The Chairman expressed the opinion that supposing the security was the same there was no reason whatever why the number of years' purchase for bad land should be different from the number of years' purchase of good land. You hold the opposite view that the number of years' purchase for bad land should be different or lower, and you took the case of Seven Dials and the Hanover Square part of the City?—I mentioned that only as an extravagant case.

24227. I agree with the Chairman in this, namely, if the conditions are exactly the same so far as security is concerned there is no reason at all why the investor should make any difference in the number of years' purchase between bad and good, and I suggest to you the reason of this acreage price upon which the discussion arose being so is from the fact of the bad land having been over-valued. We had a good deal of evidence before us from Mr. Bailey and others that in the congested districts especially there was a great deal of over-valuation for fair rents. There was a series of questions, from 16283 down to 16329—seventy or eighty questions all more or less bearing on that point. They appear in Mr. Bailey's evidence, which it may be interesting to refer to?—I have seen them.

24228 It appears from that that there was no principle of valuation ever settled by the Land Court?—That is true.

24229. And it appears from Mr. Bailey's evidence—I think it has been corroborated by a good many persons—that in the case of the poor land it was not really a question of fixing fair rents upon the actual value of the soil. It was more or less a feeling that the landlord, having been getting such and such a price, it would not do to reduce the rent too low, so that ha

* See Parliamentary Paper, No. 90, of 1903.

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would be unable to live—that was in the mind of the valuers. It was impossible to distinguish between one valuer and another, except that there was a difference in the price. One man valued for one holding and another valued for another holding. The upshot of it appeared to be that generally the poor lands in Ireland had been over-valued, whether the rich ones had been under-valued or not. There was the case of the Pelham-Clinton estate on the south side of Hungry Hill, near Bantry Bay, close to Lord Lansdowne's estate. That case was rather curious. The landlord offered to sell at 24 years' purchase and the tenants offered to give 19. The landlord then came down to 22, and finally it was decided to refer the matter to the Estates Commissioners. The Estates Commissioners sent down a valuer, and he valued at various rates, the average of which was 17. There were some as low as 9 and 10, and others ran up to 21, but the average turned out at 17, and finally the estate was sold on that basis. Clearly it appeared from that valuation that the rents previously paid have been far too high?—Or that the landlord was willing to accept a low price.

24230. The landord offered to sell at 24, and brought it down to 22. The tenants offered 19, and finally the valuation price was fixed at 17. Do you not think this illustrates that it may be a question of over-value of those poor lands of Ireland?—I must say I do not, but this opens up the whole question of economic holdings, which I ought to deal with now.

24231. Chairman.—That is a big subject, and we had better not deal with it at this stage?—Then I must content myself by saying I entirely disagree with Mr. Bryce's view as to the equitable price. With regard to that equitable price, do you think it would be unwise to go on.

24232. I think it would be unwise to go out of the order of the evidence. If you begin on that now we shall have to examine you on the subject.

24233 Mr. Bryce.—Of course equitable value was the only subject that must have been dealt with. It had nothing to do with the guidance of the valuer, but I made a remark about it which you said corroborated your view. I do not understand how that is?—All I wanted to show was that it is a new idea that a tenant can purchase the fee-simple of an acre of land for the price of a cow.

24234. Why should he not buy the cow if he can make as much money out of the cow as he can out of the acre of land?—An acre of land would be dirt cheap at £13 4s.

24235. I pointed out that land had been sold at Essex at £10 an acre?—Land in Essex has nothing to do with Ireland. Essex is a wheat-growing country. You can have splendid farms there. It is a wholly different thing. There is no similarity between the two for paying rates or taxes

24236. I quite agree there is no similarity, but——?—Then there is no use comparing them.

24237. But we are talking about £13 4s. being a ridiculous price for an acre?—Exactly so, because it is not equal. Some of it may be worth more and some of it may be worth less.

24238. The mere comparison of the price of the cow with the price of the acre has got nothing to do with it, you say. If a man can make more money out of a cow at £13 4s. than out of an acre of land, then it is quite reasonable he should give £13 4s. for the cow and not for the acre?—I will find you scores of tenants of uneconomic holdings in Donegal who would laugh if such a proposal was suggested to them as that they could get an acre of land for the value of a cow, they would be so surprised.

24239. It does not follow that others would be so?—What I chiefly object to is the putting forward in this form of a method of estimating the value as regards the price of land sold, and, above all, comparing what was sold prior to 1903, when the Act was passed; to what was sold subsequently. I object to its being put in that popular form. It is damaging to the landowning classes.

24240. I do not agree with you. I do not think it would be damaging to the landowning classes. I read the report when it came out. It seemed to me to only record a fact, and to have no *arrière pensée* behind it at all?—In Ireland things are rather different from here. Everything is closely scrutinised, and it would be likely to have a very damaging effect.

24241. Sometimes bogies may be seen where no bogies are intended?—It is possible things could be presented in such a way as to obviate that.

24242. Sir Francis Mowatt.—As to the very poor land we saw on the sea margin of Galway, for instance, would you say that would be over or under-valued at £13 4s. per acre?—It would be perfectly impossible for the most skilled professional valuer to give an answer to that, unless he went down and examined the land first.

24243. You would not say, from your knowledge, that land appearing to be perfectly worthless would be over-valued?—None of that land is perfectly worthless, and when we come to deal with uneconomic holdings I will give reasons for what I say.

24244. Sir Antony MacDonnell.—Is there not a good deal of land let at 10s. to 12s. an acre on second-term rents?—I daresay there is.

24245. The price of that would be £13, taking it at 21¾ years' purchase?—You take it on the average of the snipe bogs and tracts of moorland not worth sixpence an acre. You must remember if you take the acres in Ireland and compare the amount under bog and mountain and the amount under tillage, it will be seen that it is impossible to stick to one average price for an acre of land. Unless you take land of the same class and compare it with land of the same class you cannot do it.

24246. Sir Antony MacDonnell.—Did you not say that the Donegal peasants would laugh at you if you mentioned £13 4s. as the fee-simple for an acre of land?—For an acre of good land.

24247. But we all know the rent of an acre of good land on second term rents is not worth more than 12s., and £13 odd would represent 22 years' purchase of that. You know perfectly well from the simple calculation that Mr. Bryce's contention is reasonable.

Mr. Bryce.—You gave the figure of 100 millions, being 25 years' purchase of four millions second term rents. You are no doubt aware that already the purchase rate must be considerably higher than was originally anticipated, because about one-third of the land has passed now, or there are agreements for about one-third of the land, for which about half of the 100 millions will be absorbed by that one-third amount. In other words, instead of the total cost of purchase being something like 100 millions, the total cost of purchase will be about 150 millions or 160 millions?—The answer to that is this, that the Estate Commissioners' returns show that the average price of land has been 24·7.

24249. You must remember that prices have been rising very considerably?—That is in the published returns of last year.

24250. We have had in evidence from several witnesses that the cost of the total transfer of land is likely to exceed by at least one-third, if not more, the amount of 100 millions provided?—I hope they were unbiassed witnesses. I do not know to whom you refer.

24251. Mr. O'Kelly.—You say, "That so far as prices are now higher than previously the fact is due to the better class of most of the estates." That is the cause of the price being higher than previous to to the Act of 1903?—Yes.

24252. Not because any of the landlords in the country had any desire to inflate prices?—Not that I know of. Of course in making a bargain a man will try to get the best terms he can.

24253. Have you heard of a case of this kind. A landlord in County Mayo offered to sell his estate in that county to his tenants for 17 years' purchase. The tenants considered that the price was too high, the negotiations fell through. A fortnight after the Land Act of 1903 came into operation, the same landlord approached his tenants offering to sell the same property at 24½ years' purchase?—I have not heard of that case, and before I could express an opinion I would have to know the year the negotiations fell through and what term rents.

24254. First term rents?—And the offer in 1903?

24255 Practically first term rents also?—Hardly likely, is it?

24256. Do you think any appreciation in agricultural products had occurred in the meantime to justify the increase to 24½ years' purchase?—No, but if the land had been reduced to second term rents it might not after all produce——

24257. You may take it from me that they are first term rents?—I could not take it from any one.

24258 The gentleman in question is a member of your own Convention?—I do not know of that particular case.

24259. Was it within the zones?—No If it was within the zones it may have been a fair price.

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24260. Sir Antony MacDonnell.—The whole question is the difficulty of price?—I think so.

24261. We understand the landlords are willing to accept, or at least we hear they are willing to accept, their net incomes as a fair price of the estate?—I have never heard that. I have read the evidence put forward before this Commission, but I will have something to say on that point when we come to it. I am not aware that they are willing to accept their net incomes as a fair price. I do not consider it would be a fair price of the estate.

24262. I ventured to remark that the interest which is collected in lieu of rent upon the estates sold was abundantly paid?—Yes.

24263. And you met that suggestion with a flat denial?—Yes, because I know of several instances in which it has not been the case.

24264. I will read you the following paragraph from page 9 of the Land Commission Report for the period from 1st April, 1905, to 31st March, 1906. "On the 1st November last the total amount collectible for interest in lieu of rent was £377,577. Of this amount £370,516 had been paid on the 31st March, 1906, by 64,870 payers, leaving £7,061 due by 1,027 payers. This figure has been further reduced to £1,773, due by 300 payers." In face of this paragraph can you persist in your statement?—I would modify it. Certainly those are very strong figures. The Report closes on the 31st March, 1906.

24265. It is the Report up to the 31st March, 1906. It is dated the following July, but up to the 31st March, 1906, all the amount, with the exception of £7,061, was collected on the date of this Report, only £1,773 remained due?—I think that is highly satisfactory and creditable

24266. In view of that would you modify your statement?—I do, but I still maintain that I know a number of cases where it has not been collected. It may have been the subsequent year.

24267. This is the latest official information?—The landlord knows up to date what he is receiving from them *

24268 The collections are going on, and we will have that in the Report for next year?—I say over and above anything in that Report there is another year's and three months interest due and not touched by that. It is highly creditable up to the date the Report brings in.

24269. Up to the latest date of official information it is highly creditable. Let us hope it will be equally creditable in the coming year?—I hope so.

24270. Chairman.—Now we will go on to Griffith's valuation?—I am afraid that now I shall have to give a little evidence before going on to that, and the evidence I want to give is upon the distrust landowners, or many of them, feel of the Estates Commissioners.

24271. Do you want to go into that now?—It is most important.

24272. Do you want to go into that in addition to what you have given in the statement you furnish?—Certainly. This is most important

24273. How does it arise now?—Because I could not read all the evidence before being examined.

24274. Sir Antony MacDonnell.—I do not think we should hear it till you write it out and submit it to us?—I have nothing to write out. You have the book before you, and I can refer you to the places. I saw none of the Memoranda in the Appendix to the Third Report till I was sitting here as a witness.

24275. Sir Francis Mowatt.—I do not understand how your Memorandum could have been prepared if you had not seen the evidence?—You misunderstand me. The Third Report with all the Memoranda in the Appendix was only handed to me on coming into the room on the first day I gave evidence. The Secretary of the Commission before that had sent me first proof copies of the evidence, and afterwards corrected proofs. It was a very long performance to read through them, and there were some parts I missed. As soon as I read them I saw the importance of the evidence given, and saw it must be replied to.

24276. Chairman.—I do not want to prevent you from having a full opportunity of meeting evidence already given, but you have already gone at considerable length into the question of the feeling of landlords towards the Estates Commissioners, and not much more you can say is likely to clear our minds on the point.

24277. Sir Antony MacDonnell.—I venture to submit it would be unfair to the Estates Commissioners that Mr. Boyd should be allowed now to enter upon a new branch of evidence and have his statements appearing on the record and published in the public Press without some of us being in a position to put to him certain questions in regard to his statements. It will be seen that if the evidence Mr. Boyd has already given had been published in the public Press without comment and questions, it would have presented a different aspect to the public generally. It is only right Mr. Boyd should have every opportunity of doing what he wishes, but he should furnish the Commission beforehand with the usual typewritten statement of the additional evidence he proposes to offer in order that I, amongst others, should have an opportunity of looking up authorities and testing Mr. Boyd's statements.

Chairman.—I think we had better consider this privately.

24278. Sir John Colomb.—As I understand you, your Memorandum was prepared when you had only the first two completed volumes of evidence before you?—I had a large part of the evidence in the third volume also.

24279. You had proofs of the evidence of the third volume but not the documents in the appendix?—Yes.

24280. All you ask is to be allowed to inform the Commission of your views and to comment upon the matter you have become acquainted with since you prepared your Memorandum?—Yes.

Chairman.—We will consider this in private.

(*The Commission consulted in private*).

24281. Chairman.—The Commission have considered this question, and they have come to the conclusion that the matter that you want to go into is a peculiar matter for this reason, that you seek to criticise and impugn the action of the Estates Commissioners in order to prove the distrust which landlords feel towards them. That is so important a matter, affecting as it does the administration of a Government Department, that the Commission do not think it would be right for them to hear any statement that you may have to make on that point without having had previously an opportunity of checking their accuracy. And, therefore, without in the least degree wishing to prevent you saying anything that you may wish to say with regard to the attitude of the Estates Commissioners, we would feel obliged if you would, before going into that, furnish the Commission with a statement of the points you wish to raise and the remarks you wish to make, and the Commission will take the earliest possible opportunity of hearing you again upon it.

Witness.—Certainly, my lord I may just say that it will be a very short matter, because it will be a mere reference to certain queries by number, and the giving of an emphatic contradiction to the answers. When shall you expect that from me? During this sitting?

Chairman.—I doubt very much whether we will be able to take it.

Witness.—I can give it to you to-morrow morning.

Chairman.—I understand you wanted to go back to Ireland on Tuesday.

Witness.—I would rather stay if you are willing. I would stay till the end of the week, and postpone my appointment.

Chairman.—We might hear you again either at the end of the week, or else, if you prefer it, we could hear you in Ireland when we go over there again.

Witness.—Thank you, my lord. I will have it ready to-morrow morning. Shall I take up the reading now of my memorandum where I left off?

Chairman.—Very well.

Witness.—I begin again at page 17. I will now deal with the question of the price that landowners have a just claim to expect to realise for the sale of their estates, and the security that the land offers for the advance of the purchase money. I do not attach much importance in individual holdings to the amount of Griffith's Valuation; it is neither relatively nor actually a good guide to what the rent should be. I must nevertheless touch on it, because I observe that a good deal of evidence has been given to your Commission on the subject of a misleading and erroneous character. I need hardly add I am sure this was unintentionally done, and probably arose

* See p. 244.

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from the witness not being conversant with the subject. The question has an immediate bearing on the subject of fair price and adequate security, because the present second term rents in the aggregate nearly approximate to Griffith's Valuation, and if it be shown that the latter is distinctly and considerably below the present value of the lands it would follow that second term rents, taken as a basis for purchase, leave ample margin for security. Commissioner Finucane's evidence on Griffith's Valuation, from Query 15408 to 15445,* is so full of fallacies and errors that it will be shorter to explain the circumstances of the valuation. The Tenuland Valuation Act of 1844 first started what is now known as Griffith's Valuation, and the scale of prices given in it, and quoted by the Devon Commission in 1844 is the scale that Mr. Finucane compares with present-day prices; but he omits the fact that several other valuation Acts were subsequently passed amending the Act of 1844, which quickly culminated in the 15 and 16 Vict. c. 63, 1852, which aimed at unifying and completing the whole valuation of Ireland, and a much reduced scale of prices was set forth in it, to be applied not only to all new valuations, but to all valuations in process of being made. These prices are considerably lower than those in the Act of 1844, and there has been a considerable increase in all the prices except wheat, which is now very little grown in Ireland, when they are compared with the prices at present obtainable. The following table makes this point clear:—

TABLE OF PRICES.

Produce.	Scale of Prices in Act of 1844, quoted by Commissioner Finucane	Scale of Prices in Act of 1852.	Present Prices, 1905, as given by Commissioner Finucane.
	s. d.	s. d.	s. d.
Wheat, ...	10 0	7 6	6 10
Oats, ...	6 0	4 10	5 7
Barley, ...	7 6	5 6	7 0
Butter, ...	69 0	65 4	95 0
Beef, ...	33 0	35 6	53 0
Mutton, ...	34 6	41 0	65 0
Pork, ...	25 6	32 0	53 0
Flax, ...	—	49 0	—
Potatoes, ...	1 7	—	2 10

24282. Sir ANTONY MACDONNELL.—What scales of prices do you make a comparison between?—The scale of prices in 1852 and the prices in 1905 as given by Mr. Finucane.

24283. Sir FRANCIS MOWATT.—The figures of valuation fixed before 1852 stand?—No, they were all revised under the Act of 1852 to make them uniform. That is a provision in the Act.

24284. Then I think you had better amend a couple of lines in your statement, because you say—"To be applied not only to all new valuations, but to all valuations in process of being made." Do you also mean those already made?—No, most of them were in process of being made. A few were not. I do not know about the ones that had already been completed, but I hardly think it would apply.

24285. I merely asked for an explanation?—That is as far as I can go.

24286. Sir ANTONY MACDONNELL.—Could you say briefly what commodities there has been an increase in and what there has been a decrease in?

CHAIRMAN.—It is all in the table.

Sir ANTONY MACDONNELL.—I beg your pardon. Yes, I see it.

24287. Sir JOHN COLOMB.—The scale of prices given is in 1852, which was the scale of prices adopted to fix Griffith's Valuation?—Yes.

24288. CHAIRMAN.—You may proceed with your evidence.

Witness.—The table shows an increase in all prices except wheat. What is to be thought of Commissioner Finucane's deliberate statement that the valuation made sixty years ago would be much higher than the rent if fixed now?

24289. Sir FRANCIS MOWATT.—Oats fell off, and barley fell off?—I think oats increased. I think if you allowed me to read the table it would explain matters better as some of the Commissioners may not understand it.

24290. Sir JOHN COLOMB.—The scale of prices was merely academic. The scale of prices in 1852 were the prices that fixed the valuation. Is not that so?—Yes. The Devon Commission Report, a useful document in its day, is not a reliable one for making up the present state of landlord and tenant questions, considering that it was compiled sixty-two years ago. Mr. Finucane's further statement that rentals show twenty years arrears held against tenants is a similar blunder.

24291. Sir ANTONY MACDONNELL.—Did he say that?

Witness.—I thought he did.† If I am wrong I am willing to correct it.

CHAIRMAN.—He did not say it. I will ask you to correct it.

Witness.—I am sorry if I have made a mistake. I shall correct it, and withdraw the statement. As the Arrears Act of 1882 cancelled almost all arrears, and as no tenant can now be evicted for non-payment of rent for more than two years' rent he should have been more careful to inform himself before recording such prejudicial statements against landlords on the records of your Commission. I have moreover, had considerable experience, and made extensive inquiries on this subject, and have failed to find a single instance in support of Commissioner Finucane's statement. The absence of judicial judgment, and the one-sided tendency in much of the evidence given by two of the Estates Commissioners are ground for well-founded complaint. Further, the valuation under the Act of 1852 was made on an estimate of the net annual value of the land with reference to the statutory scale of prices, all peculiar circumstances being taken into account, and all rates, taxes, and public charges, if any, except tithe rent charge, being paid by the tenant. The Act furthermore contained a provision that improvements effected within seven years preceding the valuation should not be taken into account. This carries us back to 1845, the eve of the Famine. Thus, the great bulk of the moneys expended by both the landlords and the tenants during the past 71 years in improving their estates is excluded absolutely from consideration in estimating the value of the land in Griffith's valuation. We know that from 1847 to 1879 three millions of money were borrowed under Land Improvement Acts, of which two and a half millions were for land improvements, and, further, that large sums were borrowed under the Relief of Distress Act of 1881, and subsequently, and were expended in various forms of land improvement; and when we further take into consideration the improvement of means of transit by railways and steamboats that has since been effected we see that Griffith's valuation must in the aggregate be much below present value. Now, there is no ground for concluding that because land originally valued as tillage land has been since turned into pasture it is consequently too highly valued as stated by Commissioner Finucane. First, because we see that the prices in the Act of 1852 have not in any way fallen; and, secondly, because the land as pasture land has become pasture land from the fact that stock was found to pay better than produce. Land under oats decreased 50 per cent. from 1855 to 1900 while land in meadow increased 65 per cent. in same time (page 308, "Ireland, Industrial and Agricultural.") Intelligent farming follows the line of cultivation that yields best profits, and the fact that land valued as tillage is now pasture goes to show it is more valuable as pasture than as tillage at present prices. Besides, it is an error to suppose that the price of cereals alone entered into the valuation of tillage land. A mixed farm produces crops and stock, and is valued on a mixed system. Moreover, tillage turned to pasture reduces cost of labour, and also sets free labour to keep down cost of production elsewhere. All these arguments tend to show that Griffith's original valuation is lower by far than the actual value of the lands now, judged by present prices and conditions. The estimate made by a competent authority, Mr. T. F. Henderson, on the staff of the Encyclopedia Britannica, is, that if valued at the close of last century £5,000,000 would be added to Griffith's valuation of £15,466,564.

24292. CHAIRMAN.—Would you like to stop there, or would you like to go on further?—If you wish to

* See Appendix to the Third Report [Cd. 3414, 1907], p. 107 *et seq.*

† *Ibid* p. 137.

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ask questions it would be more convenient to the Commissioners to stop there. Or perhaps I might read the next paragraph?

24293. If you read the next paragraph we will have to go into all the figures given on the next page?—The last paragraph stands by itself.

24294. Very well; you may read it.

24295. But it was asked at Query 15434 "With reference to your interesting figures on valuation, you say that the price of cereals has fallen since the period of Griffith's valuation." To which Commissioner Finucane replied "Yes" This has been now shown to be contrary to the fact. The next query, 15435, was—"Is it not a fact also that the cost of producing those cereals has gone up"? Answer.—"Yes. I quite forgot that; that is another great element . . . . but the cost of cultivating has been probably doubled, the wages has been certainly doubled since those days."*

24296. Chairman.—At page 18 of your memorandum you are supporting this table of prices, and you say—"What is to be thought of Commissioner Finucane's deliberate statement that the valuation made sixty years ago would be much higher than the rent if fixed now." Does not that show some confusion between the two things. Surely the valuation represents the gross value of the holdings, including in that gross value the tenants' and the landlords' interest?—Oh, no. It represents the value on a basis. You are speaking of Griffith's valuation.

24297. Yes?—It is based on this. A certain scale of prices and directions Griffith issued to his valuers. They were to fix on a mixed system of farming what the land would produce, and they calculated on that what the land was worth, taking into account that the tenant was paying all the charges.

24298 Did it exclude rent?—It had nothing to do with rent.

24299. In the valuation as arrived at, was there not included both the interest of the landlord and the interest of the tenant as well?—No, that was not the object. The object simply was to arrive at a relative valuation for taxation purposes. I do not think it has any fair or just application to value as rent. It was not so very uniform as to make it useful in that way.

24300 Sir Francis Mowatt.—Would not the total value of the farm include landlord and tenant interest?—No, it was merely the valuation of the agricultural producing powers of the surface of the soil.

24301. Irrespective of whom it belonged to?—Quite.

24302. Chairman.—I want to get this clear, because it seems to me to affect the whole of your argument as regards valuation. When Griffith's valuation was made the land in law belonged entirely to the landlord. I mean the tenant had no fixed rights in the land at that time. He had no fixity of tenure?—Yes, it was before all the Land Acts.

24303. The landlord was the real owner—the sole owner of the land?—Yes.

24304 If, therefore, the valuation was fixed at that time, surely it is obvious that the valuation was upon the gross value of the land?—Not the gross value.

24305. Well, what do you call the gross value?—Value without making any deduction would be the gross value. They made a deduction for the cost of labour and the cost of production before the value, or Griffith's valuation, was fixed.

24306. Was any allowance made for rent?—None for rent.

24307. Then it excluded at that time questions of rent?—It had nothing to do with rent whatever.

24308. But was the rental in respect of the holding considered in estimating the valuation?—No, the valuation was based on the agricultural producing powers of the surface of the soil

24309. The agricultural producing capabilities?—Yes.

24310. And have these agricultural capabilities been subsequently divided into the landlord's interest in the shape of rent, and the tenant's interest in the shape of the wherewithal to live upon?—No, that is deducted before the valuation is arrived at.

24311. Then if that was deducted the valuation was not made on the agricultural capabilities of the land?—Well, Lord Dudley, what I mean to say is this. The object worked on is the agricultural producing powers of the soil. That is the object taken. Griffith then issued rules. I have the original book, and I can let the Commissioners see it if they wish. He issued rules to his valuers, very particular and careful. Among them it includes the cost of producing which is denied in evidence given before you here. It covered that. It tells the Inspectors that in fixing a value they are to take into account that the tenant is paying all the charges except tithe rent charge, and it gives a whole lot of other and minute directions which you can see yourself in the book. The Inspectors, when they arrived at a value on this direction, arrived at a certain sum for each field on each farm, and the total of these represents the valuation of each farm. It was not done with that perfect uniformity throughout the whole country as made it an accurate test of value for rent, but rent approximates to it more or less. In some places second term rents would be a little above it, and in some a little below it, but it would not be right to put forward the idea—no one of any experience has done so—that Griffith's valuation would be a fair guide to the actual value.

24312. Sir Francis Mowatt.—If I may be allowed I will ask a question which I think will make this clear. Would the valuation arrived at have been different between the same farm held and cultivated by the landlord himself, or rented out to a tenant?—You mean the same acreage, and the same quality and everything?

24313.—Yes?—Absolutely the same.

24314. The entire agricultural productive power was valued whether it was divided between landlord and tenant; whether it was held by tenant or held by landlord did not affect it?—No.

24315. Chairman.—That is what I say. Then if that be so, there obviously could be no allowance made at that time for the tenant's interest. To put it in another way, the valuation is the net value, whereas the rent is the net value *less* the tenant's interest?—The tenant's interest has subsequently to be taken out of that valuation. But it had nothing to do with the tenant's interest. The rentals of the country were not based on Griffith. It was not made for that purpose. It was solely made for the taxation purposes of the Government. It had nothing to do with the private rental of the landlord.

24316. Quite so. But your original statement is "What is to be thought of Commissioner Finucane's deliberate statement that the valuation made sixty years ago would be much higher than the rent, if fixed now"?—Well, I am afraid Mr. Commissioner Finucane must explain his own query.

24317. You express surprise?—I say that the rent and the valuation are two different things.

24317A. You have admitted to Sir Francis Mowatt that the valuation was arrived at in exactly the same way upon a holding in the landlord's possession, and a holding let out to a tenant. I say then if that is so it includes both the tenant's interest and the landlord's interest, and if that is so, then obviously the rent and the valuation must be different?—I am afraid I have conveyed my meaning badly.

24318. The rent represents the interest of only one party, the landlord, and the valuation is based not only upon his interest, but also upon the interest which the tenant has as well?—Yes, but that was deducted. The cost of producing the crop was deducted before the valuation was struck.

24319. I do not want to press it any further. Perhaps you will tell Sir Anthony MacDonnell later on why you say Mr. Finucane made a blunder when he said that rentals show twenty years' arrears?—Yes.

24320 You say at page 19 of your memorandum:—"We know that from 1847 to 1879 three millions of money were borrowed under Land Improvement Acts, of which 2½ millions were for land improvements." What is that meant to show?—That inasmuch as Griffith's valuation was not allowed to be revised, or to add in any improvements made subsequently to the date—1852, except the case of buildings, that all money expended on land improvement since 1852 has so much increased the value of the land, though it was not included in Griffith's valuation.

24321. I suppose the landlords got higher rents in proportion?—My point here is that if Griffith's valuation is well under the value of the land, the second term rents, which are now the same as Griffith's valuation, will also be well under the value of the land, and I contend that Griffith's valuation, being fixed in 1852, and Griffith not having been allowed to include any improvements, effected seven

* See Appendix to the Third Report [Cd. 3414, 1907], p. 108.

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years prior to it, or in the years subsequent to it, the valuation must have improved very much since 1852.

24322. That it has been improved very largely by money spent upon it by various people?—Yes.

24323. And the money spent on it by the landlords has been brought back to the landlords by the increased rent?—So it may, but the land has been improved.

24324. I daresay it has?—Then it is a better security for advances than it was in 1852.

24325. We need not go into how the land was improved. It may have been improved by landlord's expenditure, or tenant's expenditure, but where the expenditure was by the landlord they have naturally got higher rents?—Probably, but my point is that the land has been improved, and so is a better security for a higher advance.

24326. At page 20 of your memorandum you say, "A mixed farm produces crops and stock, and is valued on a mixed system. Moreover, tillage turned to pastures reduces cost of labour, and also sets free labour to keep down cost of production elsewhere." As a matter of fact the cost of labour has increased?—In some ways, but not at all as much as is very often represented. The introduction of machinery and all that makes fewer hands necessary. The scale of wages of individual hands has gone up to what it was.

24327. There is not much machinery used in the majority of holdings in Ireland?—ot on uneconomic holdings, but ploughing and harrowing done in the primitive way fifty years ago are all greatly improved.

24328. Then you say that this gentleman, Mr. Henderson, estimates that five millions should be added to Griffith's valuation?—Yes.

24329 That includes towns, does it not?—Yes, but Sir John Barton, when before you, gave as his evidence that three millions should be added.

24330. That is only two millions, roughly, for agricultural holdings?—Well, I think it was rather three millions agricultural, but I would not be positive about that. I saw his evidence only in the newspaper.

24331. Does he mean that out of a total addition of five millions, three millions is due to improvement in land, and only two to buildings?—No; what I mean to convey is this, that Sir John Barton does not agree with Mr. Henderson. He puts the increase at three instead of five millions. I consider Sir John Barton's opinion is very competent.

24332. Take it that Sir John Barton states three millions ought to be added. Is not a large proportion of that three millions due to the improvement of towns?—I could not be sure, but my impression was that the three millions was the land improvement increase. I read it only in the daily newspaper. It was reported in the paper as being for purely agricultural improvement. You will have it before you officially later on.

24333. Sir ANTONY MACDONNELL.—You know Mr. Finucane did make a mistake in regard to the scale of prices mentioned in the Valuation Act?—Yes; I am aware of that.

24334. He corrected it afterwards?—To a certain extent only. I only got this memorandum the first day of my examination here.

24335. He did draw attention in a memorandum on Griffith's valuation which is printed?—Yes, but allow me to say he has not withdrawn the argument he built upon it in his direct evidence before you.

24336. Allow me to point out that the object of the question put to Mr. Finucane by Sir John Colomb was to ascertain whether in Mr. Finucane's opinion the poor law valuation can be made a basis for settling fair rents?—Pardon me. Sir John Colomb's question to Mr. Finucane was whether Mr. Finucane considered the poor-law valuation a fair basis to deal with uneconomic or economic holdings, taking it at the £10 valuation.

24337. It was on the question of the fixation of fair rents—question 15408.* I understand Mr. Finucane, and you, and Sir John Colomb, all agree on the point that the poor-law valuation cannot be made a fair basis for settlement?—That is so.

24338. Was not that settled as long ago as the Bessborough Commission?—I think so. I don't know why it is raked up now.

24339. The Bessborough Commission reported in 1881, so if anything has been clearly established in evidence during this inquiry, the fact that the present Government valuation, Griffith's valuation, is not a trustworthy standard for the settlement of rents has been thoroughly demonstrated?—Everyone admits that; but Sir John Colomb's question was this. He asked whether the present valuation could be accepted for the purpose of determining what is economic or uneconomic.

24340. Although Mr. Finucane did make a mistake in quoting the figures in the Act of 1844 there is unanimity, I understand, as to the general position?—On that point my evidence is, Mr. Finucane having elaborated for two or three pages, an argument based on a false premise, found that it was false and put in a memorandum correcting it, and he did not say a word as to how it affected the next 100 questions on the same subject. It was all working up to the conclusion of fair rents on poor-law valuation. He went into very elaborate arguments to show that lands originally valued as tillage lands were now in pasture. Sir John Barton in his evidence before the Commission said there was no foundation whatever for the statement that land originally valued as tillage land was too highly valued now that it is in pasture. That is what Mr. Finucane tried to prove.

24341. I think the evidence we had from Sir John Barton was that when the valuation was made there was cultivated land and pasture land. The valuation of the cultivated land was then higher than the valuation of pasture land?—I would be glad if you would refer to evidence on that point.

24342. I am open to conviction, but that was the impression I formed, and the point Mr. Finucane was endeavouring to elaborate was that some of the land which had been valued in 1852, which was tenanted arable land, cultivated in 1852, and therefore highly valued, had gone out of tillage and become pasture, and continued to be highly valued because there was no change in the valuation?—That is what Sir John Barton contradicts.

24343. Therefore you had two sorts of pasture land—pasture land which had been tillage in 1852, and pasture land which never had been tillage, and the valuation on these two was different?—That is what Sir John Barton absolutely contradicts.

24344. On that point he was not very definite?—Remember that the argument Mr. Finucane was working out as to the land formerly valued as tillage land having been reduced in value, now when it is turned into pasture land solely depended, and he stated so himself, on the fall in the price of cereals taken all round; but Dr. O'Donnell was asking the question about these interesting figures. At the moment we find under his own hand since the valuation was made, according to the scale of 1852, the prices of butter, beef, and mutton have largely increased, the price of wheat has fallen, and the prices of oats and barley have increased. So cereals have gone up and the whole argument tumbles down, but he has not the grace to say so; yet as long as the Commission knows the fact this does not matter.

24345. With regard to what you say about twenty years I think you will find that Mr. Finucane did not say that the rentals showed twenty years' arrears, but that some rentals were produced which showed twenty years' arrears. That is a fact?—I do not quite see the difference.

24346. I understand you make this charge against Mr. Commissioner Finucane that he stated as a fact that rentals showed twenty years' arrears as a general statement?—I do not mean all rentals. But he said some did.

24347. What he said was this: 15919, at the end: "I do not include all or a large number of landlords in that, but on some of these properties that is so"† And he was referring, was he not, to properties in the West?—Yes.

24348. So he did not lay down a general rule as against all landlords? You seem to think he impugned the management of estates generally by keeping them with many years arrears on the books?—That was the way you put it, but it was Sir John Colomb brought out what you read.

24349. When a gentleman comes and gives evidence

* See Appendix to Third Report [Cd. 3414, 1907, p. 107.

† *Ibid* p. 137.

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before this Commission and makes a statement, no matter whether it is brought out in evidence by a question or not, no other meaning should be attached to his answer than the meaning he gives to the Commissioner who endeavours to elucidate what his meaning is You must not impute to Mr. Finucane that in the earlier portion of his answers he meant something different from what he said during the later part?—I did not intend to convey that impression, but what I did mean to convey is, I think, to put forward a statement of that kind is casting a slur on the landlords.

24350. As it is put forward by Mr. Finucane it is a fact. It was not put forward with the intention of casting a slur?—That is what I think it has done, I am afraid. Then it is an odd thing to take the deliberations of a Commission in 1844, when half a dozen Commissions have been held since and have brought the relations of landlord and tenant more up to date, and Mr. Finucane has not gone to the best places to get information.

24351. We have made it now clear that Mr. Finucane did not say that these twenty years' arrears were kept on the books of all landlords?—No.

24352. Or that it is the general thing at all in the management of estates in Ireland. What he said was that in these congested districts there are such estates?—It is the tenants' own fault if they are outlying. They can get them cleared up.

24353. I think we should have a different state of things if the landlords were more particular and insisted on realising the rents when they fell due?—That is the trouble they get into when they fail to collect rents in poor places. They get criticised for their generosity. But there is another point which was not made clear to the Commission between Mr. Finucane and Mr. Bailey. It is this. They said when a year's rent was paid a receipt was given without any gale day in it, that is without having the date which the rent is paid up to put into it. It may be a practice. It is a very slovenly and unbusinesslike practice, no doubt. But it is the law under Deasy's Act that if no gale day is shown on the receipt it is *prima facie* evidence that the rent is paid up to date, so that the practice is all to the interest of the tenant if he knows how to use it Neither Mr Bailey—I suppose it escaped his attention in thinking of recent Land Acts—nor Mr Finucane mentioned that when they went into the question of gale days not being put into the receipts.

24354. Sir John Colomb.—You say you do not attach much importance to the amount of the Government valuation—much importance in relation to what?—Rent.

24355. Therefore, in relation to purchase prices based on valuation?—Yes, but I would say that Griffith's valuation is not a uniform even guide, but taken over the whole of Ireland generally it gives you a general idea.

24356. With regard to Griffith's valuation you told the Commission it was the valuation of the produce according to the scheduled prices to be produced by the piece of land being valued?—Yes.

24357. I understood you to say there is no allowance for rent?—No.

24358. Do you mean to imply by that that there was no allowance at all in Griffith's valuation, that it was merely the actual gross value of the produce at those prices that could be produced off that plot?—No. There were certain deductions made, but rent does not come into the question at all. It has no reference to rent.

24359. Was it not that after arriving at the gross value as mentioned 25 per cent. should be deducted from that by way of margin?—That is not contained in his instructions to his valuers.

24360. Sir John Barton was at variance with Mr. Wrench and Mr Finucane on this point?—Yes.*

24361. But we have it in evidence from Mr. Wrench and Mr. Finucane that there was a 25 per cent. margin allowed by Griffith in fixing the valuation?—I think I can explain that Sir John Barton is right. Sir Richard Griffith wrote a letter to his niece which had a passage that he thought 25 per cent. added to his valuation might make a fair rent, or something like that. There was nothing whatever authoritative in it. It was a thing brought out and seized on by a number of people who wanted to make capital out of it. I do not believe there is any foundation whatever in fact for it. Sir Richard Griffith in his evidence, which he gave frequently, may have said more or less, what it would indicate. But I think he never pretended that it was an estimate of rent.

24362. It was not an estimate of the rent value of the holding?—Or any fair standard.

24363. You don't agree with either Mr. Wrench or Mr. Finucane?—Not on that point. I have Griffith's book of instructions to his valuers. It is not in it. That is the only thing now, the man being dead and the valuers being dead, that one really can be guided by. I can let the Commissioners see it in the morning if they like It is a very valuable book You can hardly get it. It was got from a valuer who was willing to sell it for a sovereign.

24364. On page 19 you refer to the fact that three millions of money was borrowed under the Land Improvement Acts through the Board of Works?—Yes.

24365 Was the mode by which the Board of Works loans were obtained this If a landlord or tenant wished to get a loan for the improvement of land he made an application. The money was granted only after examination by the Board of Works, and the amount of increased value to the land the improvement would produce calculated out, and it was on that basis that the Board of Works sanctioned the granting of the loan?—Yes.

24366 The money was advanced for the special purpose of improving the lands, and the amount was based on the estimate by the Board of Works of the enhanced value of the land after the money was spent as specified?—Yes.

24367. Sir Francis Mowatt.—Did that include the loans for drainage?—Yes.

24368. Sir John Colomb.—Does not that show that by the operation of loans of public money annual value was added to by the expenditure of the money on the land in that way?—The land became of increased value

24371. Sir Francis Mowatt.—I have not been able quite to understand the table of prices on page 18 of your memorandum. When was Griffith's valuation begun and when ended?—The original valuation began in 1844. Sir Richard Griffith had charge of it. Owing to the famine and other reasons it was thought that the scale of prices adopted in that Act was too high, and the Valuation Act was passed in 1852 with a new and reduced scale of prices. That was the scale that was acted on in all valuations not then made.

24372. All valuations made prior to 1852 were made in the scale of prices of 1844?—Yes, but you will find that no valuations were issued or put into practice until about 1848 or 1849, and very few were issued before the Act was introduced.

24373. But at all events, as far as valuations were made before the Act of 1852, they were made upon the basis of the Act of 1844?—Yes; some of these were lower—beef, mutton, and pork.

24374. Mr. Finucane compares present day prices with the prices of 1844. Have you a table of the valuations made and completed between 1844 and 1852, which were made upon the scale of prices of the Act of 1844?—I cannot tell you, for I have not the figures

24375 Those made before 1852 must have been under the scale of 1844?—There were not two unions in Ireland completed before that time, and in these you had much lower prices taken for beef, pork, and mutton than if you had worked under 1852, and a very slight increase in oats and barley.

24376. Most Rev. Dr. O'Donnell.—You stated that the Arrears Act of 1882 cancelled almost all arrears. Do you remember the amount of arrears cancelled by the Act?—I do not.

24377. I think you will find it was £1,700,000 or more. When you say they were cancelled, was it with or without compensation?—I think the tenants paid one year and the Government one.

24378. I have seen it stated that £760,000 was given out of the Irish Church Fund for the cancellation of these arrears?—Very likely.

* See note on p. 261.

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24379. Sir JOHN COLOMB.—Was not what happened this—in the case of tenants owing three years the landlord forgave one, Parliament gave one, and the tenant gave one?—But supposing the tenant owed fifteen years the Government and the tenant each paid one, and thirteen were wiped out.

24380. Sir ANTONY MACDONNELL.—In the course of your examination to-day you spoke about the appointment of Assistant Commissioners contravening the existing practice prevailing formerly. You will look up for yourself probably the statutory rules made on the 13th of March, 1899, which regulated the appointment of Assistant Commissioners, and you will find in these statutory rules no provision whatever is made for competitive examinations. The examinations to which you referred were a special examination, for which no public rules were issued at all?—And these now are transferred for the purpose of examiners and valuers into the other court?

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24381. What was done was when the Act of 1903 came into operation the general staff of Assistant Commissioners was reduced, and the remaining Assistant Commissioners were used partly for fair rent cases, and partly for the purposes of the Estates Commissioners for land purchase?—But prior to 1903 those Sub-Commissioners were used to make fair values.

24382. Under the former rules?—Yes.

Sir ANTONY MACDONNELL.—Very likely.

Sir FRANCIS MOWATT.—You are quite right. I have had an opportunity of seeing a table of counties, cities, etc., of which the valuation was completed before 1852, and they are very few indeed.

The Commission adjourned.

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FIFTY-THIRD PUBLIC SITTING.

TUESDAY, MARCH 19TH, 1907,

AT 11.0 O'CLOCK A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (in the Chair); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

Mr. W. H. BOYD further examined.

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Mr. W. H. Boyd.

24385. CHAIRMAN.—Before you continue your evidence to-day there is one point in our proceedings yesterday to which I should like to refer. I think that you told us that in your opinion the tenant's interest was not included in Griffith's valuation?—I do not quite understand. I answered a question that Sir Francis Mowatt put to me on this subject by saying that land in the owner's hands, as compared with land occupied by a tenant, of the same amount and the same quality, was valued in Griffith's valuation exactly at the same value.

24386. I will read you one or two answers which Sir John Barton gave on that?—I had not an opportunity of reading it.

24387. I will read you the first question put by Sir Francis Mowatt. It was practically the same question as he addressed to you:—"Is there any difference between the value of tenanted and untenanted land?—No; the valuation is the same." And further on:—"The valuation did not discriminate between the landlord's interest and the tenant's interest?—No; the valuation combined them both"?—Quite so.

24388. And again, Sir Antony MacDonnell says:—"If there was a proper valuation would not the valuation of the land and the rent approximate to each other?—No; the valuation would be very much higher than the rent, because the valuation is not only the rent, but the interest in the tenant's improvements"?—So far as they existed before 1845.

24389 What?—The improvements. There have been more since added to it.

24390. Again—"Most Rev. Dr. O'Donnell.—A fresh valuation would cover both the interest of landlords and tenants in the holdings?—Certainly." "Does not the question of amount depend on things altogether outside the special amount fixed by Griffith?—Yes." "The rent should be a proportion of the valuation?—The rent in Ireland should be a proportion of the valuation, but it cannot be a uniform proportion." That is really the whole point I wanted to make. It comes to this, does it not, that if that is so, if the landlord's interest and the tenant's interest were both combined, as Sir John Barton and you seem to agree, in Griffith's valuation, then, of course, the valuation must always probably be higher than the rent, because the rent represents merely the landlord's interest in the holding, whereas the valuation represents both interests?—Quite so. I do not agree in the proposition laid down, but I do in the latter part. But the reason I do not agree in the first part is this. No improvements were embodied in Griffith's valuation that were done to the land since 1845. Enormous improvements have been done to the land since then, to take no other item than the £3,000,000 of loans from the Board of Works which was expended in land improvement. Much of that is landlords' improvements, but, however, it has improved the land, and consequently I can conceive and know of cases where the rent exceeds the valuation considerably.

24391 But, Mr. Boyd, you would not say that taking land now, at the present time the improvements represent a greater proportion of outlay of capital on the part of the landlord, as compared with the tenant. I am not dealing with the period before 1845?—I do not quite follow.

24392. You say that since the time of Griffith's valuation the landlords have spent a great deal of money upon the land?—Yes.

24393. And that therefore, of course, some return is to be made for that outlay?—Yes.

24394. Yes, but the tenants have also spent money?—Oh, yes, they have.

24395. So that one might counterbalance the other?—Well, it might. It would be very hard to arrive at a conclusion upon that subject.

24396 But still, roughly, one would counterbalance the other?—That is only one consideration. That does not take in the question of prices, which is a very important item.

24397. I do not want to go into the question of prices. That was the whole of my point?—I thought there was a certain amount of confusion in this paragraph between rent and valuation, and that there might be an idea that rent and valuation should always be comparatively near, but I do not believe that for a moment. I do not believe that having valuation uniform over Ireland makes any difference at all.

24398. And even if the valuation were uniform you would not get it exactly the same as the rent?—No, you would not. It was merely made for valuation purposes, and whether it is much higher or lower than the real valuation would not matter in the least for taxation so long as it was relatively the same. There were one or two questions I was asked yesterday, and to clear up matters I would refer to them now before going into this evidence. For instance, Sir Francis Mowatt asked me a question about Griffith's valuation. Sir Antony MacDonnell made a quotation from Hansard in regard to the price of land, and I have looked up that matter. Sir Antony did not mention that his quotation was in reply to a question from Mr. Bowles, which rather modifies the conclusion.

24399 Sir ANTONY MACDONNELL.—What is the quotation you refer to?—I will read it to you. It is with reference to the capital sum provided being £90,000,000 I had quoted Mr. Wyndham as saying that it would cost £100,000,000, and this is the quotation. In introducing the Bill of 1903 on the 25th of March (Hansard, page 188), he said:—"I think it is a safe estimate to say that the money side of this problem is £4,000,000 worth of second-term rents in any one year." In other words, he took £4,000,000 per annum as the highest estimate of the total amount he would have for purchase

24400. The highest estimate?—That is what he says—that is my paraphrase of it. In other words, he took £4,000,000 per annum as the highest estimate of the total amount he would have for purchase. Later on, at page 201, he gives an estimate of what that total amount would cost in these words:—"The best and most sanguine estimate of the amount necessary for the sale of the saleable lands in Ireland does not exceed in any case £100,000,000, that is twenty-five years' purchase of £4,000,000.

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24401. "Does not exceed"?—"Does not exceed," but you stated it at what he said later on at page 231. Then in reply to Mr. Gibson Bowles he said—"Mr. Bowles suggested that our proposal might mean an advance of a sum of £100,000,000 to Ireland. I think that is an outside estimate. It may turn out to be only £90,000,000." It is contended that by naming £90,000,000 he meant to convey that £4,000,000 worth might be sold, not at twenty-five, but at twenty-two and a half years' purchase. At page 238 he said:—"We estimate this (speaking of the bonus) at three years' purchase," and immediately before he estimated £12,000,000 as the limit of the bonus. You perceive he might very legitimately say—"It is not to be anticipated that £100,000,000 will be required, because although we take it at twenty-five years' purchase, the sale of land in Ireland may not reach that amount, and consequently in any one year £4,000,000 of capital may not be expended on the purchase of second-term rents in Ireland. If so we will have some over."

24402. Your argument is——?—I have stated my argument.

24403. Your argument is to the effect that Mr. Wyndham maintained a policy of twenty-five years' purchase. That is what you have quoted those figures for?—I quoted them as giving Mr. Wyndham's opinion.

24404 Is not the object with which you quoted the figures to prove that Mr. Wyndham considered that the lands should be sold at twenty-five years' purchase, that that was the underlying idea when he introduced the Bill?—The average; yes, on the average. Some would be considerably higher.

24405. Well, then, all I have to do is to confront you with Mr. Wyndham's own words given on page 1090 of Hansard for the 10th of June, 1903. The words are these:—"This Bill provided incidentally for twenty-two years' purchase of second-term rents, and for something over eighteen years' purchase of first-term rents." I stated yesterday that there was no use in attaching any importance to what was said during the course of debate whether as to twenty-five years' purchase or twenty-two years' purchase. You have got to look to the Act, which gives no number of years' purchase whatever, and merely gives a limit within which landlords and tenants may bargain between twenty-one and twenty-seven years' purchase?—I did not introduce the contention. It was you, Sir Antony, that brought it in, and I thought it right to set you right on it.

24406. It is mere verbiage leading to nothing?—I cannot agree with you. An answer given by a statesman in introducing a Bill, to a question asked by a member of Parliament, can hardly be taken as modifying what he has said unless he admits that it does modify it.

24407. You might have read on, you know, and you quote from page 1087, I think?—Yes.

24408. "If you make this deduction," Mr. Wyndham says, "I think it is a safe estimate to say that the money side of this problem is £4,000,000 worth of second-term rents in any one year." It is an elliptical argument—it is a speculative argument—it is an argument that cannot be readily applied; it was a mere estimate on which no sort of proper basis could be founded?—But, Sir Antony, what you have quoted now from Mr. Wyndham refers to some argument as addressed to him, that there is an elliptical argument. What was that?

24409. Is it worth while discussing the matter?—I thought it right to give you the exact quotation. Sir Francis Mowatt is not here yet, and the only other question was also in connection with Sir Antony about the duties of the inspectors, and he gave the reference, and I have got the rules and regulations, and the instructions, and all I have to say is that it is a very important matter, that Sir Antony kindly pointed out to me that I was confusing possibly inspectors with temporary Assistant Commissioners, and he was quite right. The temporary Assistant Commissioners were the gentlemen that were appointed by examination, and the reason I confused them was that they were borrowed by the Estates Commissioners prior to the Act of 1903, and sent out to value land with a view to sale.

24410. Sir John Colomb.—The Estates Commissioners prior to 1903?—Well, I mean by the Land Purchase Department. The Landowners' Convention people state their reasons here very briefly for objecting to the changes which were made in dismissing men who were appointed for a term of office and appointing temporary ones, and allowing them in without examination.

24411. Sir Antony MacDonnell.—That they were dismissed before their office had ceased?—No, no.

24412. Chairman.—Let us quite understand this. Were these gentlemen Assistant Sub-Commissioners?—Yes.

24413. You say they were borrowed by the land purchasing authority?—Yes.

24414. From the Land Commission?—Yes, the whole thing was the Land Commission.

24415. They were borrowed by the land purchasing authority prior to 1903?—Yes.

24416. That is to say before the Estates Commissioners were created?—Yes.

24417. But then whether or not that was a bad thing to do—you put it into your argument in respect of the Estates Commissioners?—Well, if you remember, Lord Dudley, I pointed out yesterday that our objection was not merely to the Estates Commissioners, but to the administration of the Land Department. It comes under that. What I want is to have this on record, if you will allow me to read a few lines and nothing else, of the yearly report of the Landowners' Convention on the subject.

24418 Sir John Colomb.—What is the date?—Last year, 1906:—"We had hoped that an opportunity might have been found before Parliament adjourned for a debate in the House of Commons on the recent action of the Government in reducing the tenure of the temporary Assistant Commissioners, non-legal, from three years to one year, and in dispensing with the Civil Service examination of candidates appointed to make provision for the first time. Unfortunately no such opportunity could be obtained. We regard those changes as entirely uncalled for and unjustifiable, and the convention will be asked to adopt a resolution protesting against them on principle, but without expressing any opinion on the controversy that has arisen as to the scheme or the qualifications or skill of the persons injured or benefited by it. This action of the Government has abolished two of the most valuable provisions which were brought into operation in 1899, in consequence of the report of the Fry Commission, with the object of ensuring that the men appointed to discharge such difficult duties should possess proper professional qualifications, and should also have some security of tenure to enable them to feel as far as possible independent of political agitation or other form of pressure calculated to influence their decisions."*

24419. Sir Antony MacDonnell.—Have you finished the quotation?—Yes; I did not wish to trespass too long.

24420. I wish to ask you a few questions upon that?—Certainly.

24421. Are you aware that the tenure of office of those officers expired on the 31st of March last?—I think I have heard that; yes, of some of them.

24422 You accept that?—You say so, and I take it from you.

24423 There were 27 Lay Assistant Commissioners employed whose tenure of office expired on the 31st of March last year. They had no legal claim whatever upon the Government, and the question was just to raise two points, as to the reduction in their term of office and as to the non-renewal of the appointments of some. They had been appointed for three years, and on the expiration of their term of office would you be surprised to learn that it was not the Government of its own initiative that reduced the term to one year, but that it was on the recommendation of the Land Commission, the principal of that being Judge Meredith, and the other members, Mr. Justice Fitzgerald, the Judicial Commissioner, and Mr. Commissioner Wrench? It was not on the initiative of the Government, but on the recommendation of that great body?—Well, you have given me a much stronger argument than I had ever contemplated in support of my objection to the actions of the Land Commission.

24424. Your attack was on the Estates Commissioners?—Pardon me, I mentioned the Government,

* Annual Report of Landowners' Convention, 1906.

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but I could not know who were doing these things behind backs. My object was that. You say that it was the Government, on the recommendation of the Land Commission, that abolished two most valuable provisions which were put into operation in 1899.

24425. Let me go on?—You asked me a question, and I did not interrupt you.

24426. As to this point of permanency of tenure, there was never any permanency of tenure conferred upon those officers. They always held temporary posts and they have been renewed from time to time. Some have been renewed for 10 or 15 years, and they are there still, but their office was always temporary, and the reason is this, that with the progress of land purchase the fixation of fair rents would gradually decrease, and of course that at the expiration of land purchase it would entirely disappear. Those officers were employed in the fixation of fair rents, and it was highly desirable that there should be no permanency of tenure conferred on them, with the view of avoiding a charge on the Public Debt for pensions. For that reason there was no permanency of tenure. They never enjoyed permanency of tenure. There were no changes in that respect in the year 1899, and up to the present time that custom has been continued?—Before you pass from that might I say that the appointment of temporary Assistant Commissioners who were appointed for the first time was on the 13th of March, 1899.

24427. Temporary Assistant Commissioners?—Yes.

24428. No, but you have two classes. There are permanent Assistant Commissioners and there are temporary Assistant Commissioners?—Yes.

24429. The temporary Lay Assistant Commissioners are engaged in the fixing of fair rents?—Yes.

24430. The permanent Assistant Commissioners are engaged, some of them in land purchase and the others are the Legal Assistant Commissioners, who deal with the fixing of fair rents?—I know, but I gather from your own words to this Commission that you yourself thought it was very important to have permanency of tenure to cope with such difficult duties as have to be discharged in the Land Purchase Department.

CHAIRMAN.—That has absolutely nothing whatever to do with our inquiry.

24431. Sir ANTONY MACDONNELL.—I will not take exception to what you state, that I myself said something about permanency of tenure; but I am not conscious of having said it?—But it comes up in the course of the evidence.

24432. The only other point has reference to the rule about examinations. I merely want to point out that there are statutory rules which were published on the 13th of March, 1899, and that the recent appointments that have been made have in all respects adhered to and followed those statutory rules. The examination to which you refer was an examination held *ad hoc*, prescribed by no Act of Parliament and ordained by no statutory rule whatever. It was held for that particular time, and the Government was under no obligation whatever to renew that experiment?—None. I am sure of that. And they did not do it. And there is the examination paper (produced), and it seems to me to be a very useful thing to have for any body of men.

24433. I believe it is a fact that owing to that examination two clerks in a Dublin office were appointed valuers of land, who, I suppose, had never valued an acre of land in their lives?—Well, that rested with the Land Commissioners. Shall I continue?

24434. CHAIRMAN.—Yes?—We have here a very inadequate and inaccurate statement of the relative effects of the varying of the price of produce and the cost of labour on the value of land. It is of such importance as bearing on two branches of this inquiry, the amount of purchase money for land and the security for advances, that with your permission I will examine it further. I will take as an illustration a case and figures given in the Fry Commission Report, page 23, as follows (I may say in parenthesis that this illustration is not my own. It was given by the Legal Commissioner, Mr. W. F. Bailey, who is now one of the Estates Commissioners, and he gives it, I think, for the purpose of showing, and rightly showing, that if there was a certain reduction in the price of produce it might justify a greater reduction in the rent):—Let it be assumed that the gross annual produce of a piece of land is, say, worth £100, and that the cost of production was £40; there will be left for distribution between the landlord and tenant £60. If, of this one-third be allotted to the landlord, he will have £20, and the tenant two-thirds, £40, making £60. If now we suppose the value of the gross produce to fall 20 per cent. we shall have £80 (that will represent the gross produce), and if the cost of production remains constant at £40 we shall have left for distribution only £40. If this be divided in thirds, the landlord will take £13 6*s.* 8*d.* and the tenant £26 13*s.* 4*d.*, making up the £40. In this case the landlord's share is reduced by 33⅓ per cent. Conversely a rise in the price of produce might justify a similar rise in the rent payable. And I would desire to remind this Commission, and it might avoid going into extraneous matters that are not intended by this illustration, that to prove that proposition it does not matter what you take as the rate of produce or what you take as the cost of production, or how you divide the amount between landlord and tenant. I am taking it at one-third, which makes it easier to understand the thing before you. It is merely to show that a certain percentage of fall of price may justify a much larger percentage of fall in the rent; and conversely that a certain percentage of rise in price may justify a much larger percentage of rise in rent. This illustration shows that a fall in the price of agricultural produce of any given percentage may obviously justify a reduction of rent by a greater percentage, the cost of production being constant. But note well that the converse is also true, and that a rise in the price of produce of 20 per cent. would justify a rise in rent of 33⅓ per cent., *ceteris paribus*. In the above illustration the fall in prices has been assumed to affect the whole produce of the farm. This must be accounted for either by an all-round fall in prices of 20 per cent. (an unheard-of thing) or a still greater percentage of fall in certain articles of produce, the others remaining stable or slightly rising, equally unlikely. But now consider the case of an increase in the cost of production, which Mr. Finucane lays stress on as a great element in the reduction of value. Take the same figures:—Gross produce, £100; cost of production £40; net production, £60. One-third to the landlord, £20; two-thirds to the tenant, £40—making £60. Let the cost of production increase by 20 per cent., prices remaining the same, and we have:—Gross produce, £100; cost of production, £48; net produce, £52. One-third to the landlord would be £17 6*s.* 8*d.*, and two-thirds to the tenant £34 13*s.* 4*d.*, making £52. That is to say, that an increase of 20 per cent. in the cost of labour only causes a decrease of 13 per cent. in the rent; so that an increase in the cost of production by a certain percentage does not justify an equal percentage of rent reduction. Consequently we conclude, with reason, that an increase in the cost of production is not so potent a factor in the reduction of rent as would be a corresponding all round percentage reduction in the price of produce. Furthermore, the factors deciding a rise or fall in rent are not only prices which we see have risen, or the cost of labour, which we find constant from 1881 to 1897. The main factor is the yield or producing power of the land itself. Statistics show this to be largely increased. This examination has not been gone into with the view of showing that second-term rents have been unduly reduced, though it might logically and consistently be applied to that object. Second-term rents must be taken, be they right or be they wrong, as the basis of the purchase money. But bearing in mind that prices have materially risen, and that in the words of the Fry Commission Report, "as regards the cost of production, though there is some difference of opinion, that difference is not wide, and on the whole our conclusion is that in comparing the years 1881-1882 and 1896-1897 the cost of production may be treated as constant in dealing with Ireland as a whole," and that statistics show that the produce or yield of land has largely increased—I say, bearing these three factors in mind, we arrive at this conclusion, that Griffith's valuation of Ireland as a whole is below what a re-valuation, if now made on present prices and cost of production, would exhibit. It may therefore be fairly concluded that second-term rents offer a perfectly safe basis for purchase.

24435. Just wait there, if you please. This table that you give us on page 93, I understand, is intended to illustrate your argument that a fall or rise in prices, of a certain figure, may lead to a rise or fall in rent of quite different figures?—Yes.

24436. And you assume, of course, that the other factors which govern rent are constant?—Yes.

24437. Of course, as a matter of fact, that is a large

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assumption?—Oh, yes. Oh, certainly. I freely admit that. Everything else being constant, in fact.

24438. And in assuming that everything else is constant, you assume first of all that the value of the yield is constant?—Yes.

24439. And also that the cost of production is constant?—Yes.

24440. Two very important factors in judging?—Very.

24441. In judging what should be a fair rent?—Very. All which I have shown in the case I have made.

24442. All that this shows is that when you are estimating the rent a great deal more than merely the produce of the land has to be taken into consideration?—Yes, it shows that.

24443. You take as constant such very important factors as the actual value of the yield and the cost of production?—Certainly.

24444. Then, I suppose, that beyond that we need not pay very much attention to these figures, because there are one or two very obvious criticisms?—I should be very glad to hear them, Lord Dudley, because I think they may be possibly explainable.

24445. I see you put down £40 as the cost of production on a farm, the gross annual produce of which is £100. Are you satisfied that 40 per cent. would be approximately the cost of production on such a farm?—I stated that no matter what figures you put in there they work out the same percentage.

24446. That is not what I say?—No, I could not at all agree that £40 was the true figure. That was the one that Mr. Bailey took.

24447. I do not care whom it came from?—That was taken by a Land Commissioner.

24448. But you are an experienced gentleman yourself in connection with land. Should you say that where the total produce was worth £100, £40 would be a fair figure to put for the cost of production?—I think it would be excessive on some farms and on some it would not.

24449. Excessive?—It depends on the farm. It depends on the amount of labour that the farm would require, but I could not lay down any general principle and I do not want to get at the view of Mr. Bailey in selecting this, but I think he chose it so that the figures might work out suitably to show his point. The only point he had in it and the only point I have in it was to show clearly as that does that a certain rise in the price of produce might justify a larger rise in rent, and that a certain fall in the price of produce ought justify a larger fall in rent.

24450. The figures show a certain division of profits between tenant and landlord. If you examine them and carry them to a lower stage you will find that really they represent a very extensive change. Would you recommend that half of the net profits should be given to the landlord?—No, surely. Have I not said that this illustration is in no way intended to question second-term rents? I thought I put that very clearly on the evidence. I say in my memorandum, "This examination is not gone into with the view of showing that second term rents have been unduly reduced."

24451. Then it is a purely arbitrary figure except for that one point that I have already mentioned?—Yes; but it would be useful to have it to refer back to.

24452. For what purpose would you refer back to it?—There has been great difficulty in arriving at a conclusion in respect of what occupation interest is, and that would come on later, and it would be useful if, as I now suggest, I go into that question.

24453. I should like to point out to you now that the division of profits between landlord and tenant, based upon your figures leads to a considerable amount of criticism, especially if you take, for instance, a farm rented at £8?—That my lord, will come into the question of economic holdings, which is a separate heading.

24454. You take an £8 farm as an economic holding?—I go into a question about the Estates Commissioners that they thought a £10 farm an economic farm.

24455. Would you say then that a farm rented at £8 in Ireland is uneconomic?—I would not, but they are inclined to say so.

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24456. Then take my illustration, take a farm valued at £8. According to your example £40 would be the value of the produce?—Far from it. That has nothing to do with it. Except for illustration I do not attach any importance to the proportion of these things.

24457. You say that you could refer back to it. May we take it from you that you will pay no attention whatsoever to the proportion in these figures?—None.

24458. And that you do not intend to use them as an illustration of what you have just described as the occupier's interest?—Certainly in regard to the relative nature of it.

24459. I do not know what you desire to convey by that?—I will not use it in any sense that you do not wish.

24460. You do not intend in the least to argue from these figures that the landlord's interest for instance in every farm should always be one-third?—Certainly not.

24461. Very well. We will leave it there. As to the producing powers of the land itself, mentioned in your memorandum, of course I think you have already admitted that a great deal of the yield is due to the labour expended upon the land by the tenants?—Yes; credit for all which has been given up to last fixing of rents that has taken place.

24462. Still that is the reason. The land does not start increasing its produce by itself without some cause?—Oh, no.

24463. Sir ANTONY MACDONNELL.—Your thesis, your principle, the point that you want to make here by your figures and by your argument is that rents diminish in less proportion than the increased cost of production. Is not that so?—I will not go that length, because if you note what I stated as the conclusion, it was that a fall in price of agricultural produce of any given percentage might obviously justify a reduction of rent by a greater percentage.

24464. Yes, but let us come to what you really want to make out, because you there gave an illustration?—That is the point.

24465. An illustration that a 20 per cent. increase in the cost of labour or cost of production only creates a diminution of 13 per cent. in the rent. Therefore the principle which you want to enforce, or that your argument is aimed at enforcing, is that rent diminishes in less proportion than the cost of production increases?—Yes.

24466. Now would you be good enough to take that pencil and paper. Will you take your own figures and put them down?—These are Mr. Bailey's figures.

24467. You adopt them?—Yes.

24468. Take 100?—Quite so.

24469. That is your gross annual produce?—Yes.

24470. You have taken 40 as your cost of production. Double it. Take 80?—£80, cost of production.

24471. That leaves a profit of £20, does not it?—Yes.

24472. Now, divide that between the landlord and tenant in one-third and two-thirds. That leaves to the landlord £6 13*s.* 4*d.*, and it leaves to the tenant £13 6*s.* 8*d.*?—Yes.

24473. Which completely upsets your argument, because it shows that the increase of 100 per cent. in the cost of production leads to a 300 per cent. diminution of rent. It appears now from these figures that I give you that when the cost of production is doubled the landlord's rent is reduced in a larger proportion, not a smaller one, than the increase of cost of production instead of being reduced in a less as in your example?—Please allow me time to look at that. You first of all take my figures of £100, and the cost of production £40, leaving a net production of £60, divided into £20 to the landlord and £40 to the tenant.

24474. That is so?—Then you say let the cost of production be doubled.

24475. Be doubled?—And it will be £80.

24476. It will be £80?—That will leave £20?

24477. That will leave £20?—One-third of the £20 to the landlord, £6 13*s.* 4*d.*, and the tenant will have £13 6*s.* 8*d.* Very well.

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24478. There, where the cost of production had doubled you have the amount of the rent reduced in a larger proportion—300 per cent.?—How do you make that out?

24479. What is the percentage of £6 13*s.* 4*d.* to £20—because, remember it must be cent. per cent.?—A cent. per cent. reduction?

24480. It is one-third, is it not?—Of the original rent that the landlord got.

24481. Is not it then one-third?—Yes.

24482. Therefore 300 per cent. reduction. I am afraid the illustration upsets your theory, Mr. Boyd?—One moment till I think. Pardon me, that does not upset my argument. It is not easy in matters of this kind to keep everything before one's mind. If you notice what I say in my memorandum I do not draw the excessive conclusion which you put into my mouth and suddenly snatch out and say, "Now, I have got that out."

24483. I do not want to take any unfair advantage?—You are too clever.

24484. But if you want to suggest any conclusion it is the conclusion that the rent is less reduced, and that is the point?—No; we will go back, and I shall show the Commission what you have done on me.

24485. I do not want to take an unfair advantage of you, but I think you should think over it. You see I have made the point?—No. Pardon me. At the end of question 24434 my conclusion from that illustration is this, that "an increase of 20 per cent. in the cost of labour only causes a diminution of 13 per cent. in rent; so that an increase in the cost of production to a certain percentage does not justify an equal percentage of rent reduction. Consequently we conclude with reason that the increased cost of production is not so potent a factor in the reduction of rent as would be a corresponding reduction in the price of produce." Apply your illustration again to the produce and you will find that it will be worse still.

24486. I have taken the cost of produce and I have doubled it for you?—No, no; the cost of the produce yielded by the land.

24487. The cost of produce?—If you take that and work it out you will find that it will be far worse.

24488. But I have a very large margin to go on?—I only meant to say, Sir Antony, I did not want to press that one bit beyond what is in that argument, but you got a little more out of me without my knowing it.

24489. Then I am quite willing to give it back, but I do not think that is right, and, of course, my questions are on the record?—The object of the illustration is not to deal really with second term rents at all, but it is only to show that where prices have increased, as I can show you, and when the cost of labour was held by the Fry Commission to be constant from 1882 to 1897, and where statistics show that there is universally a larger yield, the valuation in Ireland is too low, therefore I have referred to the second term rents here saying that they must be a very safe basis.

24490. Sir John Colomb.—I did not know whether your object really was to lead up to a general statement about the increased cost of labour being a very important element in determining the value of the land of a farm?—Yes.

24491. And not merely illustrative of the due proportion of the relative influence of the cost of labour on the general rental value?—That is so.

24492. Now, go to the top of page 23 in your memorandum, because that relates to the question I have to ask you?—Yes; I have it open before me.

24493. Another "element in this question of purchase is the cost of labour." Of course all that goes to reduce the rental value of land, and rent must affect ultimately, if not directly, the purchase price of the land?—Yes.

24494. And therefore those figures are produced to put the question of the cost of production in the form of an argument as to their ultimate effect on the purchase price?—Yes, but I did not build on the figures.

24495. I said that you only meant it to be illustrative of general principles you wished the Commission to understand as present in your mind?—Quite so. Quite so.

24496. Well, now, the effect of the cost of production is not uniform?—No.

24497. All over Ireland?—Oh, no.

24498. For example, 72·2 of the total holdings of Ireland are less than 30 acres?—I dare say.

24499. Now, we may take it broadly that those small holders do not pay for labour?—Certainly not.

24500. The labour is entirely applied by themselves, and therefore an increase of the price of labour does not add to their outgoings in cultivating their farms?—That is so.

24501. But where the cost of labour is most likely to influence the value is on the larger farms?—Yes.

24502. Where the large farmer has to pay cash for labour, and as labour rises, he has to conform to that increased cost of labour; he must have it, and so he must pay for it?—Quite so.

24503. Therefore, taking the cost of labour as an element in the calculation of the price to be advanced by the State, the rise in the cost of labour does not affect the security of the State by increasing the outgoings of the small holders of Ireland?—It does not.

24504. It may adversely affect the larger holdings?—Yes, it may.

24505. And, speaking generally, therefore, in the case of 72 per cent. of the holdings of Ireland the security of annuities is not affected by any rise taking place in the cost of labour?—That is so.

24506. And on the other hand, when the cost of labour amongst the large farmers and elsewhere rises, these small holders being labourers themselves, and to a large extent migratory labourers, their opportunities of making money elsewhere while they are occupiers of these small holdings are increased?—They may, yes.

24507. And therefore the rise in the cost of labour may be taken broadly to mean an additional security or no loss of security to the State, on the one hand, by reason of labour not being paid for on the small farms, and possibly there may be an increase of security by the fact that those large farmers have to pay more for labour?—Yes, an increase of security in the case of those small farmers.

24508. Now, I will pass to the last line of where you stopped, and I will read the sentence: "It may therefore be fairly concluded that second term rents offer a perfectly safe basis for purchase"?—Yes.

24509. Would you tell me in what sense you use that word "safe"?—That the holdings would be good security to the Government.

24510. Have you present in your mind, also, when you use this word "safe" this further consideration that when the Act of 1881 was being passed "which deprived the landlords practically of all power over their rents and estates," it was held out as the great justification for that Act that it would make rents safe in Ireland—is that a generally fair statement?—That was so.

24511. And therefore the State having adopted a policy to make rents safe, you do not consider that it would be fair for the State in dealing with the question of its advances for purchase to ask to reduce that price because annuities much less than the rents were not safe. Do you follow me?—Not quite.

24512. I think we are agreed up to this point, that one of the reasons given for adopting the policy of 1881, which deprived landlords practically of all power over their estates by the arbitrary fixing of their rents by the State, was that it was recommended and adopted on this general ground that while it might reduce the annual receipts of landlords it would make those annual receipts safe?—Yes, that is so.

24513. The State's policy now being to get rid of a system that had proved an unworkable one it becomes a question of the State finding the money and advancing it to effect the transfer of the land from landlords to tenants?—Yes.

24514. Then it becomes a question of security to the State in carrying out their policy?—Yes.

24515. And the question I ask is this, do you think it can be justly urged by the State that a reduction in the money advanced by the State must be allowed because the security for annuities is not good?—Certainly not. I do not think there is any ground for that.

24516. You say, "It may therefore be fairly concluded that second term rents offer a perfectly safe basis for purchase." Having exploded the

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idea that Griffith's valuation represents the fair value of the land in any sense, would you accept as a basis of purchase second term rents when they are actually below Griffith's valuation?—The point here is, that it is perfectly safe for the Government to advance the money on these holdings. The lower the rent is below the Griffith's valuation the safer for the Government, because the holdings are better value to the tenant, and the purchase money will be less. Are you dealing now with the question from the landlord's point of view, and the price he ought to get?

24518. You have answered all questions relating to advances as the subject of safety. I am now asking you in regard to the basis for purchase price?—I do not deal with that in this paragraph, but later on.

24519. You would prefer to postpone it?—Yes; this paragraph is not intended to refer to that at all. It merely asserts that it will be safe for the Government to act by making an advance on second term rents.

24520. This particular sentence?—Yes.

24521. I want to address to you this question—how could you say it was a perfectly safe basis in respect of purchase price?—What I mean is simply this, that it may therefore be fairly concluded that second term rents offer a perfectly safe basis upon which the Government may make certain advances for the purchase of an estate. Perhaps it would be better to substitute "security" for "basis."

24522. Most Rev. Dr. O'Donnell.—There is one question on which I should like to have your view. What class of holding would give an annual produce of the value of £100 a year?—A small mixed farm. Of course things differ greatly, and I cannot give you a hard and fast rule. But take a mixed farm of £10 valuation—which the Estates Commissioners take as an economic holding—and about twenty-five acres, which, as second term rents go (I am talking about my own county) will probably pay a rent of about 8s. an acre. On the farm worked on the mixed system by competent men who understand how to do it, like some of our Lagan farmers, the value of the gross produce in the year would be £89 12s., worked out as accurately as I can, so that you may take it that on a large farm, say, of thirty-five acres, it might come to £100.

24523. That would be a mixed tillage farm?—Yes.

24524. How many labourers would be required?—None outside the tenant and his family except during spring and harvest, and then they would have to expend £4 in extra labour and £2 in the keep of the men.

24525. How many labourers do you reckon in the family?—I was counting on the tenant and his son, and there would probably be other children.

24526. There would be some extra labour besides what could be done by the man and his son, and to some extent by the other children?—Yes.

24527. A horse would be kept?—Yes.

24528. Would more than one horse be required?—No.

24529. Besides agricultural implements you would require regularly for working the farm two labourers and a horse?—Yes, counting the man and his son.

24530. Would not that point to the fact that £40 for the expense of this labour is a very low figure?—I am losing nothing on that.

24531. I am anxious to point out that £40 would not correspond with the expense of two men and a horse for a year?—Well, in the case I am taking where a man and his son work the farm, the whole labour bill of the year would not come to more than £36 9s. The whole outgoings of the farm, including 30s. in taxes, would not come to more than that.

24532. But you do not allow any wages for the man and his son, or provide for the upkeep of the horse?—Yes, I provide for the man himself 1s. 6d. a day for the working days of the year, and then when it comes to a division of the net profits he gets all the bulk, which will keep his family.

24533. These are figures to which you do not pin yourself?—I pin myself to the figures I have given you, but they are in the nature of illustrations.

24534. That £40 a year represents the upkeep of two men and a horse?—I have merely given these figures to illustrate the point.

24535. You would not consider that there is any close proportion between £100 of produce and £40 on labour?—I think it would not be very far wrong. In the case I gave £89 12s. is the value of the produce at the end of the year, and the cost of labour is £36 9s.

24536. What would you put down for the wages of a man for the year?—I calculated it at 1s. 6d. a day for 313 working days.

24537. And there is the food?—That comes out of the balance left after paying the rent.

24538. But suppose this farm is worked on economic principles, all that should be paid for out of the profit?—Certainly.

24539. What would you put down for a man's keep during the year?—The way in which it works out is this. You take the produce and the crop of a farm. There is its value. On a mixed farm like this worked to the best advantage I think the crop must be consumed on the farm, or if it is sold off the farm things are bought with the money and go back to be used on the farm—either for the keep of the family or, say, manure or something else. You may take the whole produce as being consumed on the farm. There would be on the farm a horse, three cows, three one year olds, three two year olds, two pigs, and five dozen fowls. That is the best that can be got out of that farm with the most proper working, without going into intensive farming or anything of that kind. The value of that stock is £97 10s., valued or sold at the end of the year, all the stuff grown on the farm being used to feed or to buy what is necessary to feed the occupiers of the farm. You have the whole value of that farm in the value of the stock at the end of the year, and that is £89 12s. I except the item of flax, which cannot be eaten on the farm. It is taken off the farm and sold, and the value goes in in cash.

24540. What I wanted is this. Estimating £100 as the gross value of the produce, is not £40 too low a figure to provide for wages and the keep of two men and a horse?—It will not be very far wrong. But that is a wholly false way of valuing a farm. I have merely taken it for the purpose of illustration.*

24541. I am merely anxious to get, from your practical knowledge, the admission that these figures are very arbitrary?—These figures are absolutely arbitrary. They have nothing to do with either the proportion of rent to what the tenant gets or with the cost of working the farm.

24542. I prefer for the present to put aside what the Fry Commission or any other Commission say about the increased price of labour. I ask you how much labour has gone up in your own time, say thirty years. What would be the wages of a servant man on a farm then and what are they now?—I daresay they have gone up a good deal. Personally I have not found them to go up very much, because I give employment all the year round. But farm servants' labour has for some curious reason—I think very much owing to the better style of living—increased a good deal. But it is not employed on any farm unless it is valued up to £15 or £20.

24543. You know how things have gone in that wide district of the Lagan? In the course of forty years would it be true to say that the wages of the agricultural labourer have doubled?—Yes, but probably the number employed is halved owing to improvements in machinery.

24544. Is not a great deal of labour still employed?—Yes, but on very large farms, and, as I have said, it is these large farms that feel the wages most.

24545. If the value of produce remained steady (I understand you to say it has gone up) do you notice that when the cost of production has doubled, the rent would be reduced to a third?—Is that my illustration or Sir Antony's?

24546. Any illustration you like. Suppose the value of produce to remain steady. You say it does not remain steady?—Yes.

24547. Do you notice that if the cost of production is doubled while the value of the produce remains steady the margin of rent taken to be a third of the balance remaining, would it come down to a third of

* *Note by Witness.*—Reference is here made to a carefully prepared hypothetical case which I put forward.—W. H. B.

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what it had been?—Yes; but still it would not be as high a proportion as the increase in the value of produce.

24548. But I have not been treating with percentage figures?—No, it would apply to any figures I should think. Sir Antony pressed me rather far there. He carried me a little out of my depth. Fortunately I discovered it.

24549. Sir ANTONY MACDONNELL.—There is a correction to be made in our little conversation, I think. The percentage 300 slipped in. Of course that was a mistake; it should have been 66. A rent reduced from £20 to £6 13*s.* is a reduction of 66 per cent. Although £6 13*s.* 4*d.* multiplied by three comes to £20, that is not the way to look at it?—No, quite so.

24550. Most Rev. Dr. O'DONNELL.—I merely wished to get your view in regard to these figures as to the increased cost of production and the increased labour bill, and I do not think I have any more questions to ask you on the point.

24551. Mr. KAVANAGH.—Have you worked out these figures yourself? What would you put down the cost of production at?—It would entirely depend on the kind of farm and on the nature of the tillage. At the end of the year in the case of the farm I have suggested with a rent of £11 9*s.* 8*d.*, the tenant, between the wages allowed him as a labourer and what he gets over out of the balance at the end of the year comes to £80 17*s.* 4*d.*

24552. But taking a typical case like this would you give it as your opinion that forty per cent. was a high or a low rate considered as cost of production?—I mentioned it merely to illustrate the point. If you tell me the class of farm I will give you my opinion. On grazing land there would be no labour at all, while on a tillage farm a considerable amount of labour would have to be provided.

24553. CHAIRMAN.—What would be the total figure generally in cash?—At the end of the year the tenant would receive, including his wages and those of his son, £80 17*s.* 4*d.*, and the landlord's rent would be £11 9*s.* 8*d.*, the Government valuation of the farm being £10.

24554. Sir JOHN COLOMB.—The valuation is £10 net rental?—Yes.

24555. Mr. KAVANAGH.—That is a typical case?—This is a carefully prepared case of my own that I am ready to stand any amount of examination on.

24556. Do you know the farm?—No. It is not taken from the books of any farm. It represents what I believe could be done on a farm of that nature.

24557. CHAIRMAN.—It is a hypothetical case?—Entirely. Prepared by myself.

24558. Mr. KAVANAGH.—You say you cannot tell me what the cost of production would be unless I tell you the locality of any farm. You have given us a case and I want to know whether you know the locality?

24559. CHAIRMAN.—The locality does not exist. It is a hypothetical case?—What I have taken is a 25-acre farm of land which in my county would be valued at about 8*s.* an acre.

24560. You have made out a balance sheet of pounds, shillings and pence?—Certainly. I have said that I took the case of a mixed farm.*

24561. You have a locality in your mind?—Well, I know very well what the value of such a farm in County Donegal would be.

24562. You have in your mind a locality?—But not a particular farm.

24563. As to the division of the profits, do you agree with the suggestion of a third and two-thirds?—I have said that that would be a rack rent in Ireland.

24564. Will you give me your opinion?—That again will depend upon the farm. In this farm five-sixths of the produce of the farm at the end of the year would go to the tenant and one-sixth to the landlord, that is higher than second-term rents.

24565. Sir JOHN COLOMB.—From what you said I presume your statement means that the things that make the profits of a farm should walk off the farm and not be carried off. In other words, it is a question of producing beasts not of selling crops?—Yes. I now come to consider the price that land should sell for. The abolition of the zones, with the object of subjecting all holdings (judicial as well as non-judicial) to inspection, and possible revision of the prices agreed upon between landlord and tenant, would introduce an element of uncertainty into the financial results of the sale of an estate which would go far to stop the working of the Act of 1903. Heretofore it has been possible, in most cases, for an intending vendor to make a fairly accurate forecast of the effects of a sale on his income, but the abolition of the zones would make such a forecast quite unreliable, and would deter a prudent landowner from embarking on a sale. The inspection of all holdings would also increase the existing delays in the completion of sales. Mr. Commissioner Finucane expresses his view on the price of land in reply to query 15902, and I gather from it that he is speaking of the price that should be paid for tenanted land if compulsory powers were in force. He says:—"A full and generous price would, in my opinion, be a sum which, including the bonus, invested in securities *safer* than that furnished by the lands sold would yield the vendor the normal net income actually obtained by him during a period of the preceding five or ten years."† He would ascertain the net income by examination of the estate accounts, and "if necessary examine the income tax returns lodged by himself." It is startling to find that one of the judicial administrators under the Statute uses the expression "net income" in this part of his evidence in a sense different and contrary to that in which he and the other Estates Commissioners have unanimously agreed in their last published report (1906) that this expression shall be used in relation to the purchase of land. On page vii of the Report we read, "By net income being meant what would be the gross second term rental, less cost of collection and management and bad debts." This is very different to "the normal net income actually obtained." In reply to query 15924 it appears Commissioner Finucane would deduct costs of going into court. There is neither reason nor justice in estimating the selling value of an estate at a price that would simply secure present income, for these reasons. With all the talk that exists of dual ownership it must be borne in mind that the owner is still in full possession of the fee, and that the tenant does not own as much as a spoonful of soil on his holding. He has fixity of tenure, free sale, and fair rents subject to certain conditions. He is the occupier, and the rent he pays is the rent put on the producing powers of the surface of the soil, nothing more. The owner is proprietor of all the timber, quarries, gravel pits, turf bogs, marls, clays all minerals, and royalties of every kind on the estate, as well as the owner of the sporting rights (on many estates a most valuable asset). He has also (*inter alia*) his right to his prospective share in the increased value of land due to extension and rise of towns, and of new means of communication, and the development and establishment of industries, and the general advance of civilization. Now, surely all this represents a money value something more than mere "net income secured." Besides, it may be called sentimental, or whatever other name you like, but there is a certain status about an owner of property that gives position and other valuable adjuncts. To an owner who has not in former days misused his rights, and who has no desire to encroach on his tenants' rights, there are still all the pleasures attending ownership, that make such men very loth to part with an estate that has been for generations in their family. The "equitable price" agreed to at the Land Conference, before quoted, recognises this, as the following quotation shows:—"That the owners should receive some recognition of the facts that selling may involve sacrifice of sentiment, that they have already suffered heavily by the operations of the Land Acts, and that they should receive some inducements to sell." The following considerations should be given due weight in determining the price of an estate:—In the earlier Purchase Acts the holding was the area defined for sale. In the 1903 Act we find a definition of what an estate for the purpose of sale may be, and large powers are vested in the Commissioners enabling them to declare any portion or groups of portions of land "an estate" for the purposes of the Act. (In passing I may observe that the statute gives no power to the Commissioners to "provisionally declare a property an estate," a practice which was their custom, but is now said to

* See note on page 103.

† See Appendix to Third Report [Cd. 3414, 1907], pp. 135 *et seq.*

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be abandoned; but a whip hand or lever is kept over the owner by suspending the declaration till the title is finally cleared to the purchase money. This is the cause of delay and much discontent on the part of owners, who feel that there is nothing unreasonable in requiring the constituted authority to declare that they are in possession of a certain thing (an estate) before they take any steps (involving heavy costs). To return from this digression to considerations affecting the price of an estate. It is evident that an estate *en bloc*, in the owner's hands may be a better security for the aggregate amount of the purchase money than will be the sum of the several holdings when severally considered in relation to the portion of purchase money allocated on each holding. The separation into holdings is made to carry out the State's policy of creating tenant proprietors, and the decrease, if there be decrease, in security is not attributable in any way to the owner, or to any defect in the estate he offers for sale, and consequently he ought not to be mulcted on that account in his purchase money. Again, one of the characteristics of ownership is liability to fluctuations in the value of the property. On what principle of fair play can an owner, parting with his property to another, be asked to guarantee that other (whether it be the State or an individual) against this liability common to all ownership? Yet this is admittedly done both in the case of tenanted and untenanted lands when sold. It is said that the Irish landlord is simply a rent charger, and that the Irish tenant has been made part owner of the soil. This statement, as I have shown is incorrect, but by making it the tenant's advocate bars the claim that the tenant (whom he calls part-owner) should be protected from all loss consequent in fall on prices or otherwise, at the expense of the landlord (whom he calls a rent charger). If, and so far as he is owner, the tenant should bear the loss of the fall in value of his property. If, and so far as the landlord is rent charger, he should be entitled to the amount of his rent charge in full (without deductions to meet fluctuations in profits) as are all other chargeants from the State to the mortgagee. Receiving this, he would be only paid for the portion of his property representing the agricultural producing power of the surface of the soil of his estate. Now, with regard to the value of land. In the case of tenant purchasers under the Bright Clauses of the Act of 1870, the Treasury, at the suggestion of the Irish Board of Works, fixed 24 years' purchase of the tenement valuation as the standard price of land, and sanctioned the advance of two-thirds of the loan to the tenant. Mr. Stack, Chief Clerk in the Department in the Board of Works, which administered the Bright Clauses, gave evidence before Mr. Shaw Lefevre's Select Committee on the Irish Land Acts, sitting in 1878, to the following effect:—In 1871 the Treasury allowed the Board of Works to increase the standard price to 27 years' purchase on the tenement valuation. The Board of Works in the following year raised the standard to 30 years' purchase on the valuation, and their action has not since been repudiated by the Treasury, and this, be it observed, is merely the basis of calculation for the Treasury advance, and not a limit to the price to be given for the land. The following is extracted from Mr. Stack's evidence taken by the Select Committee:—"Query 1732. The result of all that has taken place between you and the Treasury, and what your office has done of its own accord, is that now the basis of calculation is thirty times the tenement valuation?—Yes. 1733. And you advance two-thirds of that?—Yes, we advance as much as two-thirds of it to the tenant. 1734. I believe even that has not given satisfaction, and has not come up to the full value of the holding in many cases?—In many cases it has not." These alterations were made on memorials and representations from tenants. In other words, the tenants who purchased their holdings under the Bright Clauses of the Land Act of 1870, were of opinion that the purchase money, of which they had themselves to provide one-third, and the other two-thirds, of which they were bound to repay with interest at 5 per cent., was not adequately represented by 30 years' purchase on the tenement valuation.

24566. CHAIRMAN.—You say in your memorandum—"Heretofore it has been possible for an intending vendor to make a fairly accurate forecast of the effects of a sale on his income, but the abolition of the zones would make such a forecast quite unreliable and would deter a prudent landowner from embarking on a sale." Will you develop that? I do not quite understand what you mean?—The Commission are aware that in the Act of 1903 there is a provision in the first section dealing with the case of sales direct from landlord to tenant. If a certain abatement is given on second term rents, and a certain abatement on first term rents in calculating the annuity that the tenant will subsequently have to pay on the purchase money, that basis will be agreed to by the Estates Commissioners without any question of sending down inspectors to value the estate and without reference to whether there is value for the advance or not. Of course in that way when a landlord and tenant approach the judicial authorities with reference to a sale and a bulk sum is arrived at which the landlord is prepared to take, the tenant is prepared to pay within the zones, both parties know exactly where they are. On the other hand, if they agree upon a price outside the zones—either above or below—and they apply to the Estates Commissioners to make an advance, an inspector is sent down to value the land. He may cut the price down much further, or he may sanction it as it stands, but there will be uncertainty, and there will be no possibility of both parties knowing whether the sale will go through or not. Meantime the tenants are paying the rate of interest agreed upon on their purchase money, usually 3½ per cent., and it may be a year or two or more before the Estates Commissioners are in a position to say whether they will agree to the arrangement come to between landlord and tenant or not. If they say they will agree to it, or that they will agree to a lower sum if the landlord is content to take it, the transaction can go on. If they will not agree to it the purchase agreements are torn up, and the landlord and tenant restored to their original position, and the increased liability of the difference between the interest and the rent will be lying against each tenant as an increased arrear during those years while they were kept in suspense.

24567. Surely you exaggerated when you said that the uncertainty involved in the abolition of the zones is so great that no prudent landowner would embark on a sale. I can quite understand the convenience to parties anxious to sell of a system like the zones. I can quite understand that there may not be quite the same convenience without the zones. There might be, as you describe, a certain amount of uncertainty. But do you really mean to tell us that that uncertainty is so great that it really would deter a prudent landowner from embarking on a sale?—Yes, undoubtedly, for the reason, if for no other, that we have it on the evidence of the Estates Commissioners before your Commission that parties now lodging purchase agreements will not get their purchase money for five years.

24568. That is a different point altogether. That is within the zones even now. Leave the question of the amount of money available out of it altogether. That is another point?—On that point there is this, which I certainly would consider would deter a prudent landlord, the uncertainty and the upsetting of the relations of landlord and tenant that result from entering into purchase negotiations. It is not the simple thing that you would have in England. It may be that the landlord approaches the tenant or the tenant approaches the landlord. They have several meetings to express their views; possibly there are public meetings, and members of Parliament are brought down to help to arrange matters between landlord and tenant; and all that has a very upsetting effect upon the relations possibly hitherto very excellent existing between landlord and tenant. Then, again, if the landlord has arranged with his tenants terms which they consider quite reasonable, and have accepted, very likely, with the advice of their advisers, they go hand in hand to lay the matter before the Estates Commissioners. The Estates Commissioners send down their inspector, and he says that twenty-four and a half years' purchase is too much for that estate, and that twenty-one would be enough. The tenants naturally say, "that is the value of your property on the authority of the highest court dealing with land in Ireland, and is it not very unreasonable of you to keep us sitting here at this rent," which they were formerly quite content to pay until this question arose and was agitated. And remember that Ireland is peculiar in its circumstances and conditions, so that unless the landlord can see his

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way to getting the thing through without having any agitation or being brought into unpleasant relations with his tenants—for I believe, as a rule, Irish landlords and tenants get on very well where no third party interferes—the landlord hesitates, and would be deterred from selling his estate if the zone system was done away with.

24569. I daresay all you told us is very true. But suppose you say that a prudent landlord would not embark upon a sale, that, after all, depends on what you mean by prudent?—If the zones were done away with, nine out of ten landlords in Ireland would hesitate.

24570. When were the zones brought in?—In 1903, because sales of estates had practically ceased.

24571. Do you mean to say that no prudent landlord sold before 1903?—Many prudent landlords had to sell owing to incumbered circumstances or other matters, making the best of the worst.

24572. The very word "prudent" gives the idea that there is some discretion. The man who is going to sell incumbered estates has no discretion. You would not say that a man who was selling an estate because he was forced to sell was exercising prudence?—I do not mean a forced sale in court, but if a man having property sits down and works out what his prospects are and what are his chances of getting a fair price for the land and what are the expenses of his family, he might accept the less of two evils and sell at once and cut the loss as they do on the Stock Exchange very often. I think this matter which I am about to read bears exactly on the point you want to hear about. It is taken from Hansard, dealing with the price of land, and replies to a question which the Bishop of Raphoe addressed to me yesterday with reference to £1,500,000 worth of land that was sold in each of several years before 1903, which he contended show that land purchase operations were not falling off prior to 1903.

24573. You need not elaborate the point that before 1903 applications were falling off—I am perfectly well aware of that?—The bishop asked about it yesterday.

24574. Most Rev. Dr. O'Donnell.—I called attention to the fact that the amount of money passing had not notably decreased until the Land Act of 1903. You informed me that the applications did notably come down. I intimated, I think, that I was aware that as soon as Mr. Wyndham's Bill of 1902 loomed in the distance naturally there was a deterrent influence as regards land purchase, but I find that it was the case until the year immediately before 1902 that applications were going up, and that in nine months of 1903 there was three-quarters of a million of money applied for.

Sir Antony MacDonnell.—You remember that in 1902 Mr Wyndham's Bill was introduced, which did not pass?

Most Rev. Dr. O'Donnell.—Yes; that naturally tended to stop applications.

Chairman.—The loans applied for in 1898-99 numbered 6,265; in 1899-1900, 6,382, in 1900-1901, 4,946, in 1901-1902, 3,430; and in the last nine months to the 31st December, 1902, the number was 2,398

Sir John Colomb.—It is common knowledge that the reason of the introduction of the Act of 1903 was because applications were not coming in and the Purchase Acts then existing did not induce purchase.

Most Rev. Dr. O'Donnell.—May we have the tables furnished giving for the five years the amount of money applied for and the amount of money that passed?

24575. Chairman.—It is all here?—I do not want to interrupt the Commission, but I have a complete answer to all that has been said on the subject.

24576. It was mentioned only incidentally?—It is a most important question, and as everyone has had their say may not the witness?

24577. The whole thing arises on your remark that a prudent landowner would not embark on a sale if there were no zones?—Now, to my knowledge when there has gone before the Commission a statement that is misleading, may I not correct it?

24578 Certainly. Do you wish to adhere to the statement that a prudent landowner would not embark on a sale if there were no zones?—My statement is that it would deter a prudent landowner from embarking on a sale, unquestionably.

24579. Do you mean in order to sustain that that you would say that before the zones came into force no prudent landowner did embark on a sale?—No; I do not say that.

24580. How is it prudent landowners embarked on sales before 1903, and yet no one would embark on a sale now if the zones were abolished?—My argument is this—sales were falling off, and owing to the falling off Mr. Wyndham introduced the provisions I am referring to.

24581. But in 1902, before the introduction of this Bill, there were 2,398 applications for loans in the last nine months. Do you mean to say that those were imprudent men?—These were the tenants They may have been all on one estate, for all we know. That would have represented one imprudent man. That is the number of applications. You must take every tenant as making an application. The true test is not the amount advanced, but the number of advances applied for. Speaking on this subject on the 25th March, 1902, Mr. Wyndham said—Hansard, pages 1034, 1035—"In 1899 advances were made of £1,900,000; in 1900 of £1,800,000, and last year (1901) of £1,280,000. But those figures do not give the whole extent of the diminution. The first step which we call the originating statement does not, and cannot, mature for one or two years, and if you wish to get the exact proportion of this diminution you must look to the originating statement. Take the last four years. The number of tenants (applying for advances) are 8,000, 6,000, 5,000, and last year only 3,000. What are the reasons for that decrease?—I believe that we have got, at all events that we are getting, to the end of the landlords who are prepared to sell for a capital sum which can be advanced under the existing law. Those who have sold belong chiefly to three classes—either they are landlords who have other sources of income and other interests often in this country (England), or they are landlords who were tempted to sell by the premium on land stock during 1897-99 inclusive, or, in the third place, they are landlords who have been forced to sell because they were embarrassed, and their creditors urged them to take that course. The remainder are prevented from selling because they cannot afford to do it"

24582. After all, what you have read is merely sustaining what I have never questioned, that the applications were falling off. That is a very different thing from saying that none of the landlords who sold before 1903 were prudent men?—I don't say that for a moment, But Mr. Wyndham shows in his speech that the falling off was due to the fact that the landlords could not afford to sell at the prices that were then going. That was in 1902. That was why he introduced this Act. There was a gap to be bridged between what the tenants were willing to give and what the landlords were willing to take; and he invented the bonus to meet that want.

24583. I do not think you can expect the Commission to quite accept such a sweeping statement If you put it more moderately?—How would you suggest?

24584 If you would wish to convey to the Commission your view that the abolition of the zones would very much decrease the rate of land purchase in Ireland?—That would hardly be strong enough to convey the landowners' view. This has been before the Landowners' Convention, and all agreed to it in a body.

24585. There are obviously a great many estates in Congested Districts which may pass to the Congested Districts Board. Those are not affected by the zones but are sold by direct bargain?—I am not referring to anything here except cases that would otherwise come under the zones.

24586. In view of the fact that there are now actually sales going on in Ireland of congested estates under a system of direct bargain between the Congested Districts Board and the owner, to my mind it is absurd to say that if the zones were abolished no prudent landowner would sell at all?—You mean passing away from Section 1 entirely. Of course the idea here is those who now would have an opportunity of selling under Section 1 would not be wise in selling if the zones were done away with. I would be quite willing to accept an amendment to make that quite clear.

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24587. Later on you say —"It is startling to find that one of the judicial administrators under the Statute uses the expression 'net income' in this part of his evidence in a sense different and contrary to that in which he and the other Estates Commissioners have unanimously agreed in their last published report (1906) that this expression shall be used in relation to the purchase of land. On page vii. of the Report we read, 'By net income being meant what would be the gross second term rental less cost of collection and management and bad debts.' This is very different to the 'normal net income actually obtained.'" What do you mean by that?—Mr. Finucane pointed out in reply to some queries that what he would do would be to base the purchase money on the income actually received by the owner during an average of certain years previously. That is a different suggestion from the agreement come to in the Estates Commissioners' Report, where they take net income to mean the gross second term rents.

24588. Sir ANTONY MACDONNELL.—The gross second term rents—on what page of the Report do you find that?—On page vii.

24589. Would you read page vii.?—It is qualified afterwards, but I give you the whole extract here. That is where I refer to.

24590. Where do they say gross second term rents?—"Such a sum as if invested in a safe security would provide the vendor with his net income calculated on second term rents," by net income being meant what would be the gross second term rental less cost of collection, and management, and bad debts.

24591. That is one of the principles which they suggest themselves for discussion, but if you look down to C and see what the discussion is upon the point I don't think you will find "gross second term rental" upon the second part of the page. On the contrary you will find, if the absolute owner of an independent fee simple estate of normal character producing a second term rental of £1,000 a year, and a net rental of £900, agrees for a sale of it direct to his tenants or to the Commissioners at 23 years' purchase the sale will produce a sum of £23,000, together with the bonus which is invested at 3½ per cent.—that is the Land Conference terms?—That is what the Land Conference recommended, the gross rental.

24592. Minus 10 per cent.?—If incurred I will read the Land Conference terms. We landlords in Ireland have to attend very closely to these things.

24593. Most Rev. Dr. O'DONNELL.—I am afraid that the Irish tenant did not get the terms of the Land Conference?—He did not, and he ought to have, as far as I could judge. These are the terms of the Land Conference, that "for the purpose of attaining such a result an equitable price ought to be paid to the owners, which should be based upon income. Income as it appears to us, is second term rents, inclusive of rents fixed subsequent to the passing of the Act of 1896, or their fair equivalent; that the purchase should be based upon income as indicated above, and should be either the assurance by the State of such income or the payment of a capital sum producing such income at 3 per cent, or 3½ per cent. if guaranteed by the State, or if the existing powers of trustees be sufficiently enlarged. Costs of collection, where such exist, not exceeding 10 per cent., are not included for the purpose of these remarks in the word income."

24594. CHAIRMAN.—No, but it has always been understood that the Conference terms mean the gross income from second term rents, minus the cost of collection?—If incurred. That is what the Conference recommend, but the Government have not carried out, even towards the tenants, the terms of the Land Conference. The landlords would have been very glad to see it carried out towards the tenants.

24596. I was asking you why you say the one description of net income was very different from the other?—There are circumstances in Ireland in particular places that have rendered land valueless to the owner, and he may not be deriving any benefit from it.

24597. Please explain why that is?—For instance, if there is such a thing as boycotting or intimidation of any sort there may be a considerable number of farms out of which no profit of any sort is derived. Look how the two different definitions of net income would apply in such a case. In the case of the one where it was the actual income he had received over a period of years he would derive no benefit from this waste land which was unprofitable to him. He would get no capital added to the purchase money in respect of that farm if net income was taken as the basis. On the other hand if gross rental was taken as the basis there would be a certain amount against that farm, and even though he had not been receiving it yet where this was due to other causes than his own neglect he would receive payment for it as part of the estate he was selling which would be found suitable for putting migrants or tenants into. So in that way it makes a great difference.

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24598. Do you mean to say that there are now at this moment lands in Ireland which are not earning any rent but are lying derelict because political feeling prevents any man going in as tenant of them, and which, if there is no tenant, are not being used by the landlord in any way?—Unquestionably.*

24599. Simply lying derelict?—Unquestionably.

24600. In what county are they?—Let me say this, that the condition of Ireland as known to Sir Antony MacDonnell in parts is not such that I would feel justified in giving the names.

24601. I hope you won't make a statement before this Commission that you are not prepared to substantiate. You have said these places exist. Where do they exist?—Due to agitation—in county Leitrim and county Clare.

24602. There are, you say, lands in the county Leitrim and the county Clare lying derelict owing to political agitation?—I believe there are.

24603. Sir ANTONY MACDONNELL.—Can you mention the lands?—I do not think I can go further. I have put the Commission in possession of information that they can verify for themselves.

24604. Can you not mention the estates? We do not want any names?—I do not think I would be justified. Certainly I could not do it without asking my informants. If you wish I can do that. Otherwise I would not feel it right. Certainly there is no difficulty in finding out whether I am accurate or not in stating that.

24605. CHAIRMAN.—Is that the only reason you say the descriptions are different?—I think it unreasonable to do as Mr. Finucane suggested in defining the net income to deduct all costs of going into court. That is a thing that has been a heavy source of expense, having to appear in court, pay lawyers, and all that; and is he to suffer, then, on that account? I mean it is hardly reasonable to base the purchase money on the income if he has been so much out of pocket in trying to defend the estate for his successors.

24606. And you think if the income is to be the basis of the calculation that gross income and not net income should be the basis?—Yes; gross second term rents less 10 per cent., when the cost has been incurred, of collection and management.

24607. That is the way you would arrive at a fair price?—No, I go into that further; but you ask me would I take net income.

24608. If income is to be taken at all you would say gross and not net income should be taken?—Yes, less 10 per cent. where the cost is incurred. I stand for the Land Conference view, in their recommendations, both for landlords and tenants.

24609. Do you say that the Land Conference terms contemplate gross income?—Certainly. That is how I read it: the gross income on second term rents less 10 per cent. expense where it is incurred. There is always 5 per cent. incurred, but not always 10.

24610. In your memorandum you speak of various things which you say raise the value of the estate. I am surprised to see that you mention the general advance of civilisation. I don't know what you mean by that. It seems to me so far that the general advance of civilisation has been decreasing the value of land?—In Ireland?

24611. In Great Britain, certainly?—There are better means of communication.

24612. Better means of communication plainly has had the effect of advancing the competition of other countries?—Yes, but where they extended to a backward country that had never been opened up they

* See questions 24817-34.

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have had a very developing effect on that country. The railways in Donegal are doing an enormous amount of good to the county.

24613. Are you going to estimate the value of the prospective advance in civilisation?—I am not going to do that.

24614. Why, then, mention it?—I deprecate others making a prospective estimate of the effects of the introduction of Canadian cattle and other things.

24615. That is a concrete thing which you can take into account. It is perfectly possible to estimate and argue what would be the effect upon the Irish cattle trade if Canadian stores were landed next month or next year. But here you are dealing with something which it is impossible to take into account at all?—I do not ask to take it into account.

24616. Why mention it?—My argument here is that even giving the landowner his net income you are asking him to sacrifice these different things.

24617. Among other things, there is the increased value that he may derive from the possible advance of civilisation?—Yes, but that does not say I want you to add to his net income. Give him that and he is giving up these other things.

24618. But you wish us to take into account these various things to arrive at a fair value?—No. My simple argument is on this point, if you give the landowners the net income represented by second term rents after all you have asked them to give up so and so, and that item you mention is among the number.

24619. Why should not they be asked to give it up if it represents no value?—It may.

24620. Tell me how we are to estimate it; you go into it here as being of value—do you not?—As a probable prospective value.

24620A. Then it is a special thing, something which may add to the value of the estate?—Yes.

24621. We are therefore to take it into account?—I don't ask you.

24622. Then we are to ask the landowners to give up what they consider to be of value?—Certainly.

24623. Why would we do that?—We are asked to do it with the timber on the estate. The minute the tenant goes in he cuts down the timber, and the landlord gets nothing for it.

24624. You say we are to ask the landlords to give up something which they consider of value to them. That is not my idea of a fair solution. Suppose you want to arrive at what is absolutely a fair price of land would you propose to take into account what the landlord considers and what may prove to be an enriching factor? How are we to estimate this particular enriching factor?—I do not think it would be possible.

24625 Is not it better to leave out these nebulous hypotheses? What is the use of coming before us and talking of things the value of which it is impossible to estimate and which you have to admit yourself must be left out?—Is not it the same in the case of estimating now the effect of the introduction of Canadian cattle? How can any man estimate the loss caused by that on a particular farm?

24626. Surely it is much easier to estimate the effect of the introduction of Canadian store cattle——?—I think it is very much more difficult, for this reason. You have before you the evidence of two witnesses—Mr. Finucane, who says it would damage prices, and Mr. Bailey, who corroborates him. On the other hand, you have the expert evidence of Professor Campbell. He says he does not believe that the introduction of Canadian cattle will do at all the harm that is contemplated, because the Canadians are wise enough to keep their young stock at home, and feed them for themselves, and not export them here. When you get these eminent authorities conflicting on a subject of this kind I say you may set that back to back with the improvements that the landlords might derive from holding their estates.

24627. Is not it the case that because the Estates Commissioners have put that into their report, and also in giving evidence before us have drawn our attention to the responsibilities which they imagine lie upon them in sanctioning sales, because of these possible things that may happen to agriculture in Ireland, among other things the importation of Canadian stores, you wish to bring in a counterblast by producing the countervailing, enriching factor of the general advance of civilisation?—If you object to it I have no objection to dropping it out, but it is an item. It is not one to build on, but it must be remembered I am not asking anything for it. I will strike out that line.

24628. You say you should receive some recognition of the sacrifice of sentiment; that you have already suffered heavily under the operation of the Land Act, and should receive some inducement to sell. Do you think that there is no inducement in the fact that money would go from an Irish estate which perhaps is not in every case a first class security into a trust security?—Many men regret very much parting with their land.

24629. Even if they got a far better investment for their money?—Yes; for sentimental reasons.

24630. You think a man would rather keep his money in a questionable security, let us say, of a bad Irish property than have that money in trust securities?—When you speak of a bad Irish property I don't suppose he would, but there are many landowners whose property has been in the family for generations.

24631 You say owners should receive some recognition. You speak on behalf of the owners as a whole. Apparently, according to you, some inducement to sell is to be given them apart and beyond the fact that they get a much better investment for their money?—I am quoting that from the "equitable price" recommended by the Land Conference which was prior to the introduction of the Act of 1903. I take it that Mr. Wyndham in arranging that bonus and the zone system met that, but it will be counterbalanced if the zone system is done away.

24632. You think that has reference to the bonus?—I think so.

24633 I do not quite follow you when you say that an estate *en bloc* in the owner's hands may be a better security for the aggregate amount of the purchase money that will be the sum of the several holdings?—The idea in my mind was this. Suppose a certain estate, which as it is in the owner's hands might be a very excellent security for an advance of £10,000 on mortgage. If that is cut up into holdings and the purchase money separated and segregated on each holding, it might be a very different security. It might not be at all equal. There may be small holdings which are not security for the part of the mortgage fixed on them There may be some very good land which will be more than security for its proportionate share, whereas some of the poor holdings may not be at all such good security. In that way the whole estate as one would be a good security for a large sum of money, but if that sum of money is dotted about on every holding some of the small holdings may not be equally good security for the amount of money falling on them.

24634. How can you cut it up?—When you sell to the tenants they may apply for the advance.

24635. You say it is in the owner's hands?—In the first instance the whole block would be in the owner's hands, and might be a good security for £10,000 mortgage. Suppose it represents the purchase money of the sale of the estate. Each tenant applies for his share of that. Some of those holdings may not then be security for the advance which they agree to be made on that particular holding.

24636. Sir ANTONY MACDONNELL.—Therefore the whole is more than the sum of its component parts?—It is better security.

24367. CHAIRMAN.—But the mortgage is paid off when the estate is sold?—I was only illustrating it by an estate that would be a good security for a mortgage of £10,000. I could quite understand that estate not being good security when a sum of £10,000 was advanced to purchase it, to enable the tenants to become proprietors.

24638. Do you mean this, that the marketable value of an estate in the landlord's hands is no guide to the lump sum of money which may with safety be advanced by the State upon purchase proceedings?—That would be very much the idea.

24639. Why not? Where is there any difference if you split those holdings up?—Because some of the land may be much better than other parts. Some of the land may be ample security for the purchase money, while some may not be good security.

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24640. You cannot surely throw upon one bit of an estate the liability of the price of another. Take your case of the landlord's estate lying *en bloc*. Suppose it should be composed of four holdings. They are of different values. You say that together they will make an excellent security for a mortgage, but not so good a security when they are separate. Why are they better security for a mortgage when held together than when held separately?—On the principle that uneconomic holdings are not as good security as good land.

24641. If one is an uneconomic holding and the second is a valuable holding, you cannot throw on No. 2 the responsibility of meeting the deficiency of No. 1?—Certainly not, but if in selling an estate according to State policy that estate has to be cut up and divided among the tenants it is not the landlord's fault; it is not the fault of the estate as a whole. Neither landlord nor tenant should suffer by it.

24642. Sir ANTONY MACDONNELL.—What interest would £10,000 mortgage bear?—Whatever you like.

24642A. What is the usual rate of interest?—On mortgages?

24643. Yes?—It depends on the security.

24644. You cannot get a mortgage on Irish land under 5 per cent?—I should think not, unless on very good security.

24645. The landlord would have to pay £500 a year on the mortgage of £10,000. If that estate were sold to the tenants for £10,000, the tenants would have to pay £325?—But on a great many Irish estates you would not get a mortgage to half their value.

24646. That is still more in favour of my argument?—The amount of mortgage advance on an ordinary estate would be less probably than half its value.

24674. CHAIRMAN.—With regard to the value of land in the case of tenant purchasers under the Bright clauses of the Act of 1870, the Treasury, at the suggestion of the Board of Works, fixed 24 years' purchase on the tenement valuation as the standard price of land, and sanctioned the advance of two-thirds of the loan to the tenant. Then you go on to tell us that was raised?—Yes, it was raised to 30.

24648. The Board of Works advanced two-thirds of the value of the holding?—Yes.

24649. They fixed a certain number of years' purchase of the valuation as a standard of price. When it was at 24 years' the Board of Works could advance only 16 years' purchase, and the other people had to find eight?—That is right.

24650. When it was advanced to 30 the Board of Works were willing to advance 20 years' purchase of the Poor Law valuation?—That is right. That is under the Act of 1870.

24651. These transactions took place shortly after 1871 or 1872?—Yes.

24652. Am I wrong in supposing that those were exceptionally prosperous years?—They were leading up to exceptionally prosperous years.

24653. They were actually most prosperous years?—Yes, but 1875 and 1876 were better.

24654. They were very prosperous?—They were fair years certainly.

24655. How much has the rent gone down since those years?—On an average all over Ireland on the two fixations about 40 per cent.

24656. Forty per cent. is quite a reasonable estimate?—That is the average in the Land Commission books, but those prices are fixed on old rents unreduced.

24657. So since then rents have depreciated by 40 per cent?—Yes.

24658. Would you be content if the attitude adopted by the Board of Works in those days was adopted by the Estates Commissioners now?—With regard to the reduced rents?

24659. If the standard of price fixed by the Board of Works in 1872 was adopted to reduced rents now it would work out at a very low rate as regards the valuation would it not?—I don't quite follow, for 30 years' purchase would be a top price for anything that has been sold.

24660. Where do you find 30 years' purchase?—That is what was recommended.

24661. Thirty years' purchase of the old rents, 40 per cent. higher than now?—Yes, but the rents generally are very much about the tenement valuation, taking Ireland as a whole; that was given in evidence.

24662. It was the proportion of 22 to 21, we were told. Take second-term rents to be about Griffith's valuation. They are not getting 30 years' purchase of second-term rents. You would not suggest that the values remain the same. Surely you would not suggest that whereas in 1872 the Board of Works fixed the standard of 30 years' purchase of the Poor Law valuation, when rents were 40 per cent. higher than now, that that should govern things to-day?—I thought the question you put to me was, would I be satisfied with the Board of Works' standard on Griffith's valuation? I say I would. I don't think you would find any landlord to object to 30 years' purchase of Griffith's valuation.

24663. Do you mean to say that the standard of comparison is the same? You think 30 years' purchase of the Poor Law valuation that they contemplated then would be the same thing as 30 years' purchase of the Poor Law valuation to-day?—Absolutely. There has been no change.

24664. It is not in the least affected by rent?—No.

24665. I know the valuation is the same. They are both Griffith's valuation?—Yes.

24666. But the rents are very different?—I am not quite sure whether you are referring to the standard that the Treasury adopted for the advance of the loan. They have put no standard here as to the price of the land.

24667. The point is. In 1870 the Board of Works said, with rents at a certain figure—"We would get proper security if we make an advance of 20 years' purchase of the Poor Law valuation." That was the state when rents were 40 per cent higher than they are now, they could then with safety advance on a loan which was to be paid off in 35 years to the extent of 20 years' purchase of the Poor Law valuation?—They would advance 20 years' out of 30.

24668. Yes. They would advance two-thirds of the whole, and the reason they did not advance the whole was because they considered that of that 30 years' purchase only 20 years' purchase was the proper security, obviously?—That they got good security in advancing 20.

24669. And they would not have got good security if they had given more than twenty. In fixing what they considered proper security they took 20 years' purchase of the Poor Law valuation as security when rents were 40 per cent. higher than they are to-day, for a loan that was to be repaid in 35 years. If you take that same standard of comparison now when rents have been reduced 40 per cent. and apply it to a loan which is not to be repaid for 68 years, and has therefore more uncertainty, should the State be asked to make an advance of more than 20 years' purchase?—I think two things have got mixed. The question of security is not the question dealt with in this place.

24670. The question of security always governs it?—The question here is of price, and the price was unlimited by the principles laid down by the Board of Works. All they said was:—"Irrespective of the price given by the tenant we will not advance more than two-thirds of 30 years' purchase of Griffith's valuation."

24671. What do you mean by price there?—The value of the estate.

24672. You are discussing now the terms on which land was purchased under the Bright clauses?—Yes. I am dealing with the question now of the sale of tenanted land, and I say that the sale of tenanted land in 1871 was at a very much higher figure than now, and the Treasury justified the advance of two-thirds of a sum of money where the purchase money did not exceed 30 times the tenement valuation, and in that way, of course, the landowners received a very large sum for their estates compared with the price offered now, but it was their value, because, as you pointed out, the tenant had to borrow the rest of the money, which was repayable in a short time, and the tenant had to pay 5 per cent. on it.

24673. Let me put it in this way. The landlord's ownership of the estate at that time was valued at 30 years' purchase of the Poor Law valuation?—Pardon me.

24674. Then what in the world was it?—Two-thirds of 30 years' purchase was the limit the Treasury put to the advance.

24675. It was 20 years?—The Treasury limit was this, two-thirds of a sum not exceeding 30 years' purchase.

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24676. What was the difference between that and 20 years'?—Because I thought you spoke of 30 years' purchase of the estate. It might have gone to 40, 50, or 60 years', provided that the tenant was willing to pay it. All the Treasury said was—"Pay what you like; we will advance only so much," because they had a kind of rough guide in the tenement valuation that kept them safe.

24677. You say you would be content with 24 years' purchase of the tenement valuation?—No; I did not. You put a question to me whether they would be content with 30 years' purchase.

24678. Sir JOHN COLOMB.—On the valuation?—And I said yes, we would be content with 30 years' purchase on Griffith's valuation, on the assumption that what Mr. Finucane said there was correct, and I have no reason to doubt it, that second term rents and Griffith's valuation were in the proportion of 22 to 21.

24679. CHAIRMAN.—Take the case of an estate such as you mentioned yourself in 1872, which is valued at 30 years' purchase of the poor law valuation; what did the Board of Works advance on that?—Two-thirds.

24680. Twenty years' purchase?—Yes.

24681. And the tenant advanced the remainder?—Yes.

24682. What was the landlord's interest in that estate?—The whole of it.

24683. In other words 30 years' purchase of the poor law valuation?—Yes, but I may qualify what I said. I said otherwise. In Ulster there was always the tenant right, and there was whatever analogous custom might exist throughout the rest of the country. That would be excepted where I said the whole of it.

24684. Leaving out the tenant right the landlord's interest was 30 years' purchase of the poor law valuation in those days?—Yes, but it might be much higher.

24685. But I am taking a particular case, the case of an estate which you have yourself mentioned. The landlord's interest there was 30 years' purchase of the poor law valuation?—Yes.

24686. The landlords' interest in property in Ireland has since then been reduced by 40 per cent.?—The rents have been reduced

24687. Which is the landlords' interest?—Part of it

24688. What other interest has he got?—All the mines, minerals, timber, sporting rights, and other things. Some of these are very important.

24689. The landlord's agricultural interest is represented by the rent?—Yes

24690. That has fallen by 40 per cent. since 1872?—The rents have been cut down.

24691. Tell me how it is, when there has been a drop of 40 per cent. in the rents, that you can for one moment assume that the value of property as measured by years' purchase of poor law valuation would be anything like what it was in those days? If you have this 40 per cent. drop in rents that shows 40 per cent. decrease in the landlord's agricultural interest in his estate. Taking my case of 30 years' purchase of the poor law valuation that would reduce it to 18 years' purchase, and 18 years' purchase it seems to me represents to-day the true comparison with 30 years' purchase of the poor law valuation in 1872?—But you are looking at it from the point of view of security for the State

34692. From that point of view the limit for advances now would be twelve years as compared with twenty then?—I am looking at it from the point of view of the fair price to give to the landlord

24693. I am speaking of what the landlords' interest is in both cases as measured by the purchase price in poor law valuation?—Yes; I see your argument. It is, if the Treasury were willing to advance two-thirds of 30 years' purchase of the tenement valuation that now with the drop in rents they would not offer the same; but my point of view here is quite different, because I say that the 30 years' purchase was not put as a limit to the price of the land. It was only put this way—and we know how cautious the Treasury are to guard against loss—that they said they would not advance more than two-thirds of that. I don't think that the Treasury estimate would be a safe one on which to arrive at the fair price of the value of the holding.

24694. It is very unlikely that very much property changed hands on the basis of a greater proportionate payment?—A good deal did, of course nothing compared to subsequent years, but I know numbers of tenants who bought at 30 years' purchase. In those times things were more prosperous. Here are the points of the additional evidence I desired to lay before the Commission. I think you will see at once that there is nothing really controversial in it, unless raised by the Commission. All that the Irish landowners are anxious for is to dissociate themselves from certain admissions that were made in reply to certain queries.

24695. In these last pages you have been dealing generally with the question of the price of untenanted land?—Yes.

24696. Well, I do not want to ask you any further questions with regard to the memorandum you have supplied us with, but at this point I should like to ask you one or two questions which bear generally upon your view as to what the landlords consider is a fair price for tenanted land?—Yes.

24697. I do not think I need trouble you with that under a system of voluntary sale. I quite agree that under the present system with the zones in operation the fair price for tenanted land is arrived at by mutual agreement between the landlord and the tenant. That is so, is it not?—Yes.

24698. And therefore the only matter which in any way concerns the State is the amount of advance and the security that advance is based upon. And under the zone system it is held, at any rate at present, that if the price falls within the zone there is supposed to be sufficient security for the advance?—Yes.

24699. So that really under a system of voluntary sale the security does not come in very much. But you must have noticed in reading our proceedings that on many occasions there have been questions as regards compulsory purchase?—Yes.

24700. We have been told by more than one witness that it is quite impossible to hope to carry out a large system of migration or a large system of land settlement without having some compulsory power to purchase?—Yes.

24701. What I should like to know from you is what your opinions would be as to the fair price that a landlord should get under the compulsory system, supposing the compulsory system was adopted and how the State should attempt to arrive at that fair price?—Well, in regard to the price I think the terms of the Land Conference would be the equitable price of the land. Practically second term rents secured.

24702. But let us go deeper than that. First of all one method which has been suggested is that a tribunal should be set up before which both parties would lay their views, and that this tribunal should proceed to say what they imagined was a fair price. Of course there should be some method of appeal from that tribunal. Would you approve of that plan or would you object to it?—No. I would object to that, for I hardly think it could be constituted in such a way as to avoid extraneous influence coming into play hereafter. The proposal made before you to which I take most objection was that contained in the replies to questions by Sir Antony MacDonnell referred to in the Memorandum handed in. There it was to be carved out of the Land Commission Department.

24703. The new tribunal?—The new tribunal. The landowners in Ireland would regard that as wholly unsatisfactory.

24704 I understand you would not like to see that method adopted?—Certainly not.

24705 Then, would you approve of a certain fixed number of years' purchase being adopted?—If any practical arrangement could be made of that kind I should think it would be most satisfactory. I certainly would not approve of scaling the securities according to the fancy securities of the estates sold.

24706. I do not quite follow that?—It was proposed before you by Mr. Finucane, and Mr. Bailey said he would have no difficulty in drawing up such a scale as that estates sold should be classified A, B, C, D, and E, and that he would be capable of putting opposite them the rate of interest which would correspond to the security of those estates as the landlords had

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them. That is to say, on an estate where he thinks the rent is badly secured he would give the owner the capital sum at 5 per cent. interest, which would not be as high a security as that on which you would get 3½ per cent. That is the way it has been given before you by Commissioners Finucane and Bailey.

24707. But that contemplates a rather different method from what I had in my mind Would you be prepared to say so many years' purchase of second term rents, and so many years' purchase of first term rents, and so many years' purchase non-judicial rents could be laid down as a standard of purchase?—Yes, I think so.

24708. Do you think that is inconsistent with what we were talking about earlier in the day?—You were questioning me yesterday as to whether the properties in the West and properties situated in the better parts of the country should sell at exactly the same rate of purchase. We had some discussion, and I gave you an exaggerated illustration in Seven Dials and the city. I think when you come to selling an estate some rough and ready method has to be adopted—some practical and fair method, and I do not know that any better method can be adopted than taking the second term rent as the fair rent and fair annual valuation of the land, and capitalising that so as to yield that second term income to the outgoing landlord.

24709. That is a different point. I understand what you propose is that you should take second term rents and capitalise those with regard to the income that the landlord had derived before?—Yes.

24710. But that is a different thing to the thing I had in my mind The thing I had in my mind was that there should be a general agreement to sell on a fixed table—so many years' purchase of first term, second term, or non-judicial rents?—Without any regard to income?

24711. Well, on an arbitrary scale?—I do not think that would work.

24712. It would be hard to arrive at a figure?—Very hard

24713. Anyhow we are thrown back on the third proposal—the proposal to capitalise second term rents so as to give the landlord a sum equivalent to the fair sum that he has been enjoying before?—Yes. That is what I mean to express agreement with.

24714. That is the basis you would like to see it proceed upon?—I think so.

24715. What would you suggest should be the percentage at which the money should be invested?—The Land Conference recommended 3 and 3¼. If the landlords got it at 3½ I think it would be satisfactory.

24716. You think if the sum of money be paid and invested at 3½ per cent. and if it would give them their income that that would be satisfactory?—I think so.

24717. Sir ANTONY MACDONNELL.—Does that include bonus?—That includes the whole purchase money, including bonus.

24718. CHAIRMAN.—Now, let us understand what you mean by income. Would you take income as represented by rental?—Yes. Second term rents or their equivalent; that is all rents fixed subsequently to 1896. I would take that as income. We are dealing only with tenanted land.

24719 Certainly. What deductions would you make from the gross income to give the net income? How would you arrive at these deductions?—Deductions not exceeding 10 per cent. where expenses had been incurred, and if the landlord had not expended 10 per cent. then deduction for whatever he had expended.

24720. How would you arrive at what the man's income was?—From his rent book.

24721 He would have to show his book?—Certainly.

24722. Where it could be shown by those books that the cost of collection amounted to 10 per cent.?—I do not think 10 per cent ought to be exceeded, for that was the recommendation of the Land Conference.

24723. Do you mean to say where the cost of collection or outgoing in connection with the estate exceeded 10 per cent. you would still pay the landlord more than he previously enjoyed?—Of course, we are only dealing with costs connected with management. All other things are cleared off under the purchase money Ten per cent is what the Conference recommended.

24724. And you think the landlord ought to be put in the position where if his costs do not amount to 10 per cent. he would get the advantage of having only the actual costs deducted, whereas if his costs exceed 10 per cent. he would be given the advantage of having only part of his costs deducted?—There is this to be said, that many landlords spend money as owners of property that they do not spend for their own gratification or profit. Many things are done in the management of property that you would not do if you were trying to pull the biggest income you could get out of your property. Many landlords have had to go to very great expense as to management in recent years in the way of recovering rents that were not paid, and such kind of things. If that was to be taken into account there would be a very large deduction indeed in regard to certain estates. You must not take it we are dealing with one particular class of estate. I am speaking for landlords of Ireland represented by different classes of estates, and I must guard myself that I do not say anything to injure, for instance, that class who are not able to stand a deduction of 10 per cent. Some have had very large management expenses in recent years.

24725. What are the things the landlord does which he need not do in connection with the cost of management if he was looking to business pure and simple?—Well, many landlords keep up their demesne and places about it and that kind of thing and employ labour.

24726. Do you call that cost of collection and management?—I do not know whether it would come under the head of management.

24727. I understood from you just now that you wished to convey to us with regard to the item of cost of collection and management—by which I mean the general expenses of the estate—was that the landlords do not always spend money with a view to the actual business return. You say that they do it for other motives. I should like to know what you mean by that?—What I mean is this. A landlord may employ a resident agent or otherwise. He may employ him for the collection of rent pure and simple, or he may employ the agent to do other things on the property as well Expenses connected with the property are incurred over and above the mere collection of rent, and I say 10 per cent., if he has to cover all law costs and management of that kind, would in some cases be a very heavy deduction. It is merely a temporary deduction if the landlord continues his position as landlord, but if he is to part company with his estate as a limited owner it would be very heavy if it is to be deducted from the basis on which the purchase price of his estate is capitalised.

24728. Out of the expenses in connection with the management and collection you would like to see law costs withdrawn?—It is reasonable. In connection with the ordinary business of the estate anything brought on by extraneous causes would be in some cases very heavy.

24729. Law costs that have been incurred in connection with political agitations?—Yes.

24730. You would like to see that withdrawn?—Yes

24731. Are there any other items you would wish withdrawn?—Without seeing the landlords' books in individual cases, I could hardly say. Several ask to be limited to a deduction not exceeding 10 per cent. That is not an extravagant amount. The management of an estate ought not to exceed that.

24732. You would like to see 10 per cent. cover everything?—I would.

24733. Is there any addition you would like to see as a set-off to the 10 per cent.?—In regard to the tenanted land?

24734. I mean, for instance, questions like sporting rights?—Oh, yes. Of course sporting rights in some cases are most valuable.

24735. If the landlord enjoyed those sporting rights himself they would not show on the books any addition to his income?—No.

24736. So that in basing your estimate upon what the books would show as his income you would not find much to help you in regard to sporting rights?—Not in some cases.

24737. There could be some method, could there not?—Yes.

24738 There could be a method by which the landlord could show that he was selling property or rights

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which were of value but which did not appear on his income returns?—That is so.

24739. Mr. KAVANAGH.—He could retain his sporting rights?—He could. As a rule, it is more satisfactory to sell. I personally would consider it more satisfactory to sell sporting rights if you could get a reasonable price for them. Afterwards both parties would be perfectly free to have dealings over them.

24740. CHAIRMAN.—With regard to quarries and things of that kind, if the landlord had been deriving any revenue from them it would appear in his book. He would treat them in the same way as agricultural property?—Yes, except where the landlord has very large tracts of valuable bog, and where tenants are secured on buying out and there is still a large tract of valuable bog left over, that is an item of value.

24741. I suppose the obvious way in that case would be for the landlord to plead that that was a possession which necessitated a higher price being paid for it?—Yes.

24742. You could not lay down any hard and fast rule?—Quite impossible.

24743. Where there are other things to be considered beyond the mere agricultural rental and income derived from an estate you would have to get some arrangement by which the landlord could appear before somebody?—Quite so. I might mention one or two instances. Take a property I know very well. I was agent of it, but in 1899 I had to give it up, because then I was suffering from insomnia. That property has two sporting rights on it, which at that time brought in £250 a year each. That is a valuable asset, and it might be arrived at by increasing the price of the sale of the estate. The tenants, on the other hand, say that you are asking unreasonable terms to add that to the price at which you would otherwise be willing to sell the estate and to capitalise £500 a year. Moreover, those shootings would only concern, I think, about 30 tenants on the whole estate, and the whole of the other tenants would have nothing to do with them. So that you scarcely could, by adding to the price of the purchase money, keep the purchase money to a reasonable price in the eyes of the tenants or in the eyes of anyone. Therefore some arrangement will have to be made if compulsory powers are to be used generally or in such cases as this, for the landlord not losing a distinct source of profit of this kind.

24744. Mr. O'KELLY.—Was the other sporting right a fishing?—Yes. Both of those cover fishing and shooting.

24745. CHAIRMAN.—If you try and arrive at a fair price by this system, do you not get difficulties when you are coming to deal with the estates mortgaged on the one hand, and the estates not mortgaged on the other hand. Take this case. You have an estate which is calculated on the agricultural rental pure and simple. Under your system you would like to see the landlord paid his gross rental, minus 10 per cent. deduction for cost of collection. That gives him 90 per cent. of his gross rental?—Yes.

24746. I believe, invested at 3½ per cent., 23 years' purchase would give him his gross rental?—Invested in Consols.

24747. Invested in 3½ per cent trustee securities. The tenant gets in that case a reduction of 25 per cent. That is on a property where there is no mortgage. It would require 23 years' purchase to pay the landlord this net income if there was no mortgage, and that would be a reduction to the tenant of 25 per cent. Now, take the case of a similar estate, say an estate with nominal rents of £1,000, on which there is a mortgage of £6,000. May we calculate a mortgage of that kind at 5 per cent.?—Very possibly. It depends upon whether it is first or second.

24748. Speaking generally of mortgages in Ireland—first mortgages, second mortgages, and third mortgages, it would not be unfair to take it at 5 per cent.?—I think 4½ of it as a first mortgage would be more likely.

24749. I am taking a rough estimate of the average interest all mortgages would pay. Five per cent. would be a fair estimate, would it not?—I think it would not be scarcely as much, but take it at 5 per cent.

24750. Five per cent. on £6,000 is £300 a year. Then, if you deduct 10 per cent. for the costs of your agents' fees and cost of collection you get a net profit on an estate of that kind of £600. In order to give £600 to the landlord at 3½ per cent. you would want a capital sum of about £17,000. Taking with that the £6,000 required to pay the mortgage you get a sum of £23,000. Deducting the bonus of £2,500 that leaves £20,500. That is practically what the tenant has to find. That is 20½ years' purchase. My point is that supposing you went on the net income minus 10 per cent. will you not find that the years' purchase required to provide a fair price in the case of unmortgaged estates will be greater than the amount of money required to provide a fair price in the case of mortgaged estates?—Not as I understand it. Of course I cannot say I am able to follow the figures, but this is the way I look upon it, and I will show you where you and I differ. The rental of £1,000 unmortgaged we quite agree on, but when it comes to the £1,000 with a mortgage of £6,000 to it I understand you to proceed to deduct from the rental the interest on that mortgage to get the net income. I would not do that at all.

24752. Why not?—Because when you proceed to sell an estate the mortgages and all charges on the estate are lifted off the land and attached to the money in bank once it is decided to be sold, once the title is proved to the purchase money under the present system. That being so the amount you have to compensate the owner of an encumbered estate is identically the same as that for the owner of an unencumbered estate, but it goes into the bank. The mortgages and everything else are paid out before he gets any balance coming to him, but so far as the amount is concerned there would be no difference. It would be a second term rental in each case that would be the basis of purchase. All the charges have been taken off, and they are attached to the money in bank. As soon as the day for finally closing the transaction comes all that money is in the bank. The bank authorities pay off all charges, and whatever is over is handed over to the encumbered owner to invest it at whatever rate of interest he can get. What will be done under compulsory purchase I do not know.

24753. You say that you ought not to deduct the interest payable on the mortgage from the gross rental in order to arrive at the net income?—No, because in the case we are working on, it is compulsion, and we started by agreeing that the price to be paid for compulsion would be the gross second term rental, less 10 per cent., but not less the interest on mortgage. The mortgage would take care of itself. It must be paid. The owner cannot get away with the money until the mortgage is paid, because it is paid through the authorities who clear off the mortgage, having all the charges against the land before them, and pay the balance to the owner.

24754. But the man is not enjoying the money that is being paid out?—He will be enjoying it inasmuch as he will be getting in bulk at the end to the extent that will produce the income he had before. Before that he will be paying the interest on the mortgage. Subsequently the capital of the mortgage has been paid off out of the principal money, and he has only got the balance of this principal money to invest. That will not produce him more than his original net income. It is immaterial whether the interest on the mortgage is paid through the hands of the owner or whether the principal sum is cleared off out of his capitalised income.

24755. But take my case. Take a case which returns a rental of £1,000, and which also has to pay annual interest of £300 in connection with a mortgage, and which has also to bear £100 outgoings for agency expenses. What is that man's net income?—That would be £600.

24756. Then, why should you not deduct £300 a year from the £1,000 in order to find his net income?—Because I thought the understanding we came to was that it was to be gross second term rents minus cost of collection.

24757. But his gross second term rents are £1,000?—Yes, and it is on that basis that we are going. Supposing, to illustrate it, that you take it at 25 years' purchase: on that basis it would be £25,000 purchase money.

24758. You are capitalising his mortgage at 5 per cent.?—The mortgage has to be cleared off out of the purchase money.

24759. Yes, but you are asking the tenant in that case to be responsible for the money required to pay off the mortgage on a 3½ per cent. basis whilst the landlord will capitalise it at 5 per cent. and so gain?—

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Perhaps I may be a little wrong. The thing is coming suddenly on me. May I put it to you in this way. We are talking now of an encumbered estate with a rental of £1,000 and a mortgage of £6,000 upon it. The owner is about to sell his estate He makes arrangements to pay off that mortgage. A friend comes to him and says, "Here is £6,000 I will lend you to pay off that mortgage." He pays off the mortgage. He is in receipt of the full rental The land is there, value for the second term rents. He sells it compulsorily to the tenant at, we will say, 25 years' purchase. He gets that purchase money, and he pays back the £6,000 to his friend? That works out exactly the same as I suggested There is nothing wrong in that

24760 But as a matter of fact that is not the way it would work out What would happen would be this. The State says to the landlord "We want to purchase that estate of yours for a public purpose," the landlord says, "I won't sell," and the State says "We want it for a public purpose, and therefore under our compulsory powers we have got to force you to sell." And the basis on which the sale is to be carried out is income minus 10 per cent.?—That is not what we have been hearing before.

24761. Gross income minus 10 per cent. for collection, and minus fixed outgoings. Therefore you will have to deduct the 10 per cent. and fixed outgoings in order to arrive at what the man's net income is.

24762. Sir JOHN COLOMB.—Your contention is that 10 per cent is to cover everything?—That is not what I was at But, Lord Dudley, if you do that——

CHAIRMAN.—Mr. Boyd never suggests that 10 per cent. should be taken to cover all interest on the mortgage.

WITNESS.—If you do that you mulct the owner twice; once in the purchase money, in the calculation of the money you put into bank; and, second, the reduced money also in bank, out of which he has to pay the mortgage You take the lower standard to calculate on, because he has a mortgage on the property, and you give him a reduced capital sum. You put that in the bank, and out of that reduced capitalised sum he has to pay the mortgage.

24763. But if he was in receipt of £600 a year before, on which he was living and amusing himself, what you have to do is to provide him with a sum, which at a reasonable rate of interest, is to give him £600?—Pardon me; what you are doing is this. You are buying his property, and to arrive at a fair estimate of the value of his property you take the second term rent and capitalise it. But it is the property you are buying. And once it changes owners from the encumbered owner to the Estates Commissioners or the tenants it rises to the full value, and they are getting the full value on a property on which the lower price is paid to the owner. Is not that so, Sir Antony.

24764 Sir ANTONY MACDONNELL.—As I understand it, it is this. There is a property yielding £1,000 a year on which there is a mortgage of £6,000?—Yes.

24765. That £6,000 bears an interest of 5 per cent?—Yes.

24766. That 5 per cent amounts to a sum of £300 a year, which has to be paid to the mortgagee. The landlord's net income from his property is £900, minus £100, or 10 per cent. going for cost of collection?—Yes

24767. The first charge upon that £900 a year is the mortgage money—the interest?—Yes.

24768. That will leave the landlord £600 a year?—Yes.

24769 I understood his Lordship the Chairman to say that what you want in this purchase transaction is that the owner shall be guaranteed for all time in possession of an income of £600—that he will get from the State or from money advanced on behalf of the tenants—such a sum as if invested at 3½ per cent. would give him £600 a year?—That is not my view.

24770. That is the position that I understood his Lordship wanted to enforce?—That is the question Lord Dudley put to me.

24771. And then I understood his Lordship's argument to run on in this way, that if the property be sold for £23,000, the State will advance the £23,000, of which, when it is paid into court £6,000 will be deducted to pay off the mortgage, leaving £17,000, which will give the landlord his interest secure of £600 a year?—Yes.

24772. Now this is a point on which I am rather doubtful—how the bonus comes in. I have got to the point where £23,000 is paid for the property.

CHAIRMAN.—£23,000 is required in all, of which £20,500 comes from the tenants and £2,500 from the bonus.

Sir ANTONY MACDONNELL.—£23,000 is required from whatever source it comes

CHAIRMAN—£2,500 is provided under the bonus. Therefore you may deduct £2,500 from that £23,000.

24772a. Sir ANTONY MACDONNELL.—Then the tenants have to provide £20,500; that is to say, that will be the advance made by the State to the tenants. There will be an additional sum given by the State of £2,500 by way of bonus. Out of the £23,000 so made up £6,000 goes in payment of the mortgage, leaving a balance of £17,000 payable out to the landlord, which, if invested at 3½ per cent., would secure to him his income of £600?—Now, for one moment I follow all that. You say of the amount £2,500 is bonus. But what is the tenant responsible for by way of paying interest for the advance.

Sir ANTONY MACDONNELL.—£20,500.

Witness.—Now, would you look at it in this light? Advances are made to the tenants amounting to £20,500. On that the tenants will have to pay £3 5s. per cent. interest.

24773. Sir ANTONY MACDONNELL.—For sixty-eight years?—Yes. If I am correct that represents £668. At twenty-five years' purchase of £1,000 a twenty-five per cent. reduction would have left the sum at £750. Is not that a rather heavy reduction they have got in the case, considering the number of years' purchase. I am not arguing critically, but in order to understand. I mean to bring the annual payment of the tenants down from £1,000 to £668.

24774. You base the purchase money on the £1,000, minus ten per cent?—Quite so. But the rental of the property is £1,000 second-term rents. If you imagine that to be within the zones——

24775 Take it to be within the zones?—Well, to bring it down to £668——

24776. But really what you have to look at is the £23,000?—No; the tenant does not pay any interest on the bonus.

24777. Then you need not bring it in?—What I want to show is the inconsistency of the case. I do not think it is sound. It is not sound, what you have done.

24778 Sir ANTONY MACDONNELL.—It is sound in all respects except the deduction of the bonus?—I do not think so. I really think not I am sure if you saw it with me, you would think so also.

24779. CHAIRMAN.—You say you are not content that the landlord in that condition of things should be left with his £600, and that what you ask is that his gross second term rents minus 10 per cent., or £900 should be made the basis of the calculation?—Yes But, Lord Dudley, I do not want you for a moment——

24780. Wait a minute. I have not finished. And that before any deduction is made, that a capital sum should be provided for him which, when invested at 3½ per cent. would return him the £900, thus throwing on him the responsibility of discharging the mortgage?—Yes.

24781 Just take the case I have put and look what that means It means that if you have got to pay on a sum which if invested at 3½ per cent will return him £900, you have got to give him £25,740. That at 3½ per cent. will return him his £900. Then from that he has got to take that £6,000 to pay off his mortgage That leaves him with £19,740?—Yes.

24782. And if you calculate what that sum will return at 3½ per cent you will find it is nearly £700?—That will represent the interest he had in his property, because formerly the mortgagee had part of it.

24783. Therefore, practically, what you ask is that where a man is only in the enjoyment of £600 a year, as what I may reasonably suppose to be his net income, that State funds should be used and that the tenants should be asked to pay a price which would give him not only £600, but another additional £100 besides; in other words, that you would leave him £100 a year richer than he was before, and that the tenants would have to bear the cost of the money that would bring about that result?—What I want to say is this. We started on a certain basis, and, assuming

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that basis to be correct, I think what I have suggested would be a fair way of doing this. These figures have been sprung on me unexpectedly, and I had not anything prepared to answer them. I do not want to claim anything unreasonable or unfair. I am not making a claim for an unreasonable thing, but it seems to me that where a man has his property mortgaged, and he is only in receipt of the balance over and above the interest on his mortgage—say, £600—the reason why he is in that unfortunate position is because the mortgagee is getting some of the benefit out of the estate, and if he can clear off that capital sum he can return to derive the benefit from the property It is the value of the property that is the thing you have to look at, and not the income of the man, only in so far as the income is necessary to calculate the value of the property. But the property is encumbered by having a £6,000 mortgage on it. When the mortgage is taken off, the land rises to its full value, and will be at its full value in the hands of the Land Commission, and the owner can then discharge the mortgage out of the purchase money.

24784. Surely if the owner of an estate in that condition can make certain arrangements under which he pays off his mortgage and comes with a free estate it is no business of anybody to inquire what has happened But if a man appears showing that his estate is mortgaged, and you have to try and sanction a sale, by putting compulsory power into play, which will produce a sum to return him his net income, it surely is a very strong thing to suggest that he should be left in a better condition than he was before. I do not want in the least to spring figures on you, or put you in any difficulty at all, but I would like to know your opinion?

24785. Most Rev. Dr. O'Donnell.—Perhaps you would like to consider whether you would put it on he State or the tenants to pay for the relief which he gets in exchanging the obligation to pay interest on £6,000 at 5 per cent. for an obligation to pay, say, interest at 3½ per cent.

24786. Chairman.—In either case, you see, the tenant has to produce a larger sum?—I think not. Take the case where there is no mortgage and there is a rental of £1,000, less £100 for collection. That brings it to £900. Taking 25 years' purchase, that will produce £22,500. I think that is the scale we were on.

24787. Sir Antony MacDonnell.—Twenty-five years' purchase would produce more than £22,500?—Not at £900. £1,000 is the rental, and I deduct £100 for collection. That would leave you £22,500. The encumbered owner will be in a far better position.

24788. What would £22,500 give you at 3½ per cent.?—£787.

24789. That is not £900?—The bonus would have to be added, but the tenant does not pay interest on the bonus. It would, perhaps, simplify the matter if I looked into these figures before to-morrow.

24790. I take it that you consider that the bonus is part and parcel of the price?—Oh, yes, but that the tenant has not to pay interest on it.

24791. Chairman.—Very well, you can give the matter your consideration before to-morrow morning. Just take down the figures as I read them out to you. My case is one of an estate which returns a nominal rental of £1,000. There is a mortgage of £6,000 upon it at 5 per cent., amounting to £300 annual interest. There are also necessary outgoings for collection and estate management, which are put at £100 a year. That returns a net rental to the landlord of £600. What I want to arrive at is this: What sum would be required to ensure that £600, arising from 3½ per cent. securities, would be enjoyed by the landlord? I make out that £23,000 would be required—£17,000 to pay the £600 a year and £6,000 to pay the mortgage. Then there is the bonus of £2,500, so that in that case the sum that the tenants would have to pay would be £20,500—in other words, 20½ years' purchase of the nominal rental. That would give them a reduction of 33 per cent. Then, we will take the next case of a £1,000 estate with no mortgage. There you have to secure that the man will get £900. Twenty-three years' purchase is required to produce that sum, as against 20½ years' purchase in the first case. That gives the tenants an immediate reduction of 25 per cent., as against 33 per cent. If net income is to be arrived at, there is an apparent injustice to the tenants, who have in one case to pay 2½ years' more purchase because the estate is not mortgaged, whereas the tenants in the case of the other estate which is mortgaged, get off 2½ years' cheaper, but a method could be found of equalising matters?—I will look into the matter carefully, but I would suggest that inasmuch as the article that the tenants and the State is buying is identical, there must be a fallacy somewhere in it if it produces different results.

24792. I should say that the reason is because the 5 per cent. mortgage exists?—But that has nothing to do with what the tenants are buying. They are buying the property.

24793. Mr. Kavanagh.—What you want to provide is the net income?—No; you want to calculate the price of the property; but in order to do that you have to consider the net income. The property in each case is the same.

24794. Chairman.—We have already settled, haven't we, that you could not, for the purpose of comparison, regard property as being the test If you set up a tribunal and argue that having regard to the conditions of property it would be unsatisfactory to you it is also equally unsatisfactory to you to try and arrange an arbitrary scale, based on so many years' purchase of first, second, and non-judicial rents The only possible way in which, I understood, you could hope to arrive at any conclusion is to take second-term rents as the basis, and then from that to make certain reasonable deductions. Is not that so?—Yes.

24795. So that what you are really dealing with is capitalised value of rents?—I do not agree with you in that.

24796 Why?—What seems to me is this: if compulsion is to be introduced there are two items to be considered—one the authority to assess that land is to be compulsorily taken from you, and the same authority, or whatever authority is appointed, is to say this is the price you must take for it. There are two acts of compulsion in that. The compulsory action in taking the land is taking a certain thing Whether it is mortgaged or not, it is value in itself for what it is. That is what you buy, and it is to arrive at a fair figure over the compulsory price that you have to go into calculations.

24797. Sir John Colomb.—I am in a fog, I must confess. Let us try to get out of it in this way Say there are two properties, A and B, precisely identical in every respect, yielding £1,000 a year each. One owner has a mortgage of £6,000 on his property, and the other has not. Your proposal is that in both cases the same amount to be paid should be so many years' purchase on the second term rents?—Yes.

24798. I assume purchase price of both these properties being based on second term rents?—Yes, less 10 per cent.

24799. And your claim is less 10 per cent. Therefore, on each of these there is a net income of £900?—Yes, on the unencumbered one.

24800. Now, on one of these there is a mortgage of £6,000, and on the other there is not. Does that concern the purchase value of the price to be given, how the £900 net income, in the sense I used it, is disposed of. The only difference surely is in the one case the landlord has entered into obligations to meet £300 a year interest on his mortgage of £6,000, which has to come out of his net income from the estate of £900, whereas in the second case the other man has not?—Yes.

24801. But does it vary the value or the purchase price of the property—do you agree with me that it does not?—Surely. I do not think you were in much of a fog from my point of view.

24802. Sir Antony MacDonnell.—May I ask a question so as to understand how the position is—I understand that you, Mr. Boyd, speaking on behalf of the Landowners' Convention, say that where a property gives a gross rental or a gross income of £1,000, and a net income of £900, that the landlords are prepared to sell properties such as that on the basis of having their £900 a year capitalised at the rate of 3½ per cent.?—Yes.

24803. Let me take £90 instead of £900. What is true of £900 is equally true of £90; £90 capitalised at 3½ per cent. will give you about £2,580. Therefore, may I assume that it is the landlord's claim that by getting £2,584, which includes the bonus, he will be

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satisfied?—This is my reply—I would prefer stating the matter in general terms, and saying this, that if the landlords receive a sum capitalised at 3½ per cent. on their second term rental less not exceeding 10 per cent., they would be satisfied, and not consider that they were being overpaid.

24804. Then, may I ask this to make it perfectly clear—in the case in point that I give you, would the £2,580 broadly be the sum you mean in that particular case?—Honestly, I cannot enter into figures this evening, but I will do so the first thing in the morning if you like.

24805. I will not press you any more, except this one question. The price to be paid the landlord capitalised at 3½ per cent. includes the bonus?—Yes.

24806 Sir John Colomb.—I just want to call your attention to one thing. The question put by Sir Antony MacDonnell is so important, and your responsibility is so great, that perhaps you will allow me to ask you this question—are we to take that question and answer as applying to the application of compulsion?—Oh, yes; I understood that from the first.

24807. And therefore all the amenities that lie outside the agricultural rent—you represent here that those would all be covered by the arrangement which you say will be acceptable?—Thank you for recalling that to my mind. It is very difficult to remember everything Lord Dudley, when you began questioning me on this I am afraid I was partly giving my own views, which I have expressed, but I am afraid I am not authorised on behalf of the Landowners' Convention to put forward here what their views would be in the event of compulsion.

24808. Chairman.—I never for one moment dreamt that you were?—Thank you, if you take it in that way.

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24809. Obviously, a subject of this kind is far too important for you to pledge a body like that straight off, and I do not think anybody would expect that you would. All the object I had in questioning you was not to see what you say or regard as being the unalterable opinion of the Landowners' Convention. It was merely to ascertain your views on matters of this kind, because as a gentleman of great experience you are able to give us an idea of the sort of view that would be taken by landlords generally in regard to subjects of this kind?—Thank you, my lord. Whatever I have in type here is the expression of the views of the landlords, but I have perfect permission to mention my own opinion on any matter on which you may wish to question me. I do not pledge the landowners to that. You asked me the question, and I said I would agree to it, but I had not before my mind at the time the question of compulsion.

24810. Sir Antony MacDonnell.—Compulsion was not in my mind?—That makes it quite clear.

24811. I do not want to take an advantage at all, but am I to understand that the capitalisation of the net income based on second term rents at 3½ per cent. will include the bonus—that is the important point?—Under the voluntary system; that is right. That is the view of the landlords.

24812. Will you think over that by to-morrow, and I will be very glad if you will say that it is so?—I won't say that I will, but I will do the best I can.

The Commission adjourned.

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FIFTY-FOURTH PUBLIC SITTING.

WEDNESDAY, MARCH 20TH, 1907,

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (in the Chair); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

Mr W. H. BOYD further examined.

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Mr. W. H. Boyd.

24813. CHAIRMAN.—Mr. Boyd, what would you like to do—would you like to finish the question of prices now?—I think so, my lord. I would ask your leave, in the first place, to discharge my mind of two or three little things arising out of yesterday that if I could get clear of remembering them would leave me free to take up any other subject. You will find that in my memorandum I state that the landowners have a profound distrust of the Estates Commissioners. Mr. Kavanagh made a suggestion that I think was quite a right one, and I am willing to agree to it. He suggested that the expression should be, "The landowners who are represented by the Landowners' Convention," and I think that would be better.

24814. As a matter of curiosity can you tell us in what sort of proportion the landowners of Ireland are represented by the Landowners' Convention?—The Secretary, who is in the room, could tell you, but I do not think I could. A large number, my lord. But, of course, there are a very large number of small landlords who probably do not belong to it.

24815. We should like to know, if we could get some particulars, what sort of proportion there is?—Yes. In reference, Lord Dudley, to a question you put to me, it is possible from what I stated that I may have misled you and I want to tell you what is in my mind. You asked me what would be the practical difference between Mr. Finucane's definition of net income and that which I quoted from the Estates Commissioners' report, and in my answer to you I was looking at it solely from the land agents' point of view in reference to rental. I had the rental before my mind, and the way a rental is kept is this, or the tenants' ledger, which is more common, perhaps, in England. You have spaces for the townland, the tenant's name, the arrears, the year's rent, and a column for rent received. That is naturally the column that would be looked to by anyone adopting Mr. Finucane's definition of the net income, being represented by the income received. But I said in many parts of Ireland that would be very injurious to the landowner, because that column would either be wholly blank or would contain a very much smaller sum than should appear as the rent of the place. For instance, as a land agent keeps his book, if a tenant, we will say an 11 months' tenant, has not taken the farm which he had the year before, his name will not appear as tenant in the rental. That is what I called derelict.

24816. If the tenant had not done what?—If a tenant, who the year before had held a certain grazing farm, we will say, on an 11 months' agreement, refused to continue it a second year, his name would not then appear as the tenant in the rental, but there would be some mark to indicate either that it was vacant, or that it was in charge of a herd or an emergencyman, or something to indicate the fact, but the rent would either not appear at all as received, or if the owner was trying to work it in his own hands it might apear at a much lower figure, or it might not appear there at all but in his own farming accounts.

24817. In that case would not that farm be practically in the same position as the land that is being farmed by the landlord himself?—It would, in one sense, but what I was going to state was, that if the net income was to be judged by a period of years, five or six years of the rent received by the landowner, in this case it might occur from extraneous causes wholly outside his control that he received nothing, I only want to point out that I did not use the term "derelict" in the strict sense of lying absolutely waste. I did not intend to convey that meaning.*

24818. I thought you could not mean that of course; it sounded so extraordinary?—What I meant was that it was derelict as regards the tenants.

24819. Sir ANTONY MACDONNELL.—Do you mean to say that in Mr. Finucane's acceptation or understanding a rent should be shown for that farm although derelict?—No, not at all; that has nothing to do with it, Sir Antony.

24820. Let me make myself understood. You said, if I remember properly, that Mr. Finucane's idea of having purchase based upon the rental did not allow account to be taken of farms which were derelict?—Yes; taking "derelict" in the acceptation that I have explained now.

24821. That is to say, that Mr. Finucane did not make allowance for those farms which were derelict?—Yes.

24822. And would you be good enough to look at Question 15932, in which Mr. Finucane says, "But on the other hand, if owing to combination for withholding rent his receipts in any particular year were abnormally low, I would disregard that year in estimating his net income. I would have regard *inter alia* to what the land would let for to a solvent tenant (or in other words the gross fair rent), as an indication of what the probable or possible stable net income would be." I thought that must have escaped your notice?—Well, that did not exactly bear on the question that Lord Dudley asked me. Lord Dudley asked me the question where, in a practical way, was the difference between Mr. Finucane's definition of net income and the definition I quoted from the Estates Commissioners' report. Mr. Finucane's definition is contained in Query 15902, and in that he speaks of the income actually received.† That was my point. I do not, for a moment, deny what you say, of course. I did see it, and it is quite right to Mr. Finucane to say that he allowed it. But in reply to the question where Mr. Finucane's definition differed from the Estates Commissioners' definition as I take it, that was my answer.

24823. But you must take Mr. Finucane's definition as the result of his explanation in his evidence. If in giving a strict definition the definition was limited and afterwards was enlarged for further explanation you must take the definition with the explanation?—Very well, then; taking it so, as you say, there is this great difference in the later query that you read.

24824. CHAIRMAN.—What was the query which you read containing Mr. Finucane's definition?—15902.

* See questions 24598-604.

† Appendix to Third Report of the Commission [Cd. 3414, 1907], pp. 135 and 136.

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That is in the Appendix to the Third Report, page 125 But as I was saying, Sir Antony, Mr Finucane has modified his original definition and says that he is willing to allow so and so In that case remember it is left absolutely optional to Mr Finucane or whatever authority is appointed to say how much should be given by examination of the rental where, taking second term gross rent as net income, it is regulated by the column in the rental.

24825. Sir ANTONY MACDONNELL.—That is all right; where you have your gross second term rent that is quite right, but in the case of those farms, for instance, grass farms for which you have no second term rent, which are let upon the 11 months' system, in regard to them arises the question of the circumstances as stated in Mr Finucane's paragraph What rental are you to take in regard to that grass farm which remains derelict?

24826. CHAIRMAN.—Do not let us get into a general discussion of prices?—I did not mean that, except that the eleven months grazing rents were just as much a part of income as second term rents.

24827. But they are not second term rents?—No; but I want to keep myself right.

24828. CHAIRMAN.—I must go back a little after the interruption. You want, in the first place, to point out to the Commission that if a farm had not been let owing to political pressure or political agitation and that the landlord had had to take that into his own hands obviously the profits would not appear in the rental column?—Exactly.

24829. And that the fact that he had not derived profit from that land would have to be taken into consideration?—That is it, my lord.

24830. I do not think anybody would be disposed to dispute that?—No. I was afraid that I had misled you.

24831. And that you would like to withdraw your remark perhaps that there are derelict farms lying waste in Ireland, due to political agitation?—Yes, they were not derelict except so far as that explains it Well, say "unoccupied."

24832. CHAIRMAN.—Or "untenanted"?—Yes. But I do not think that the word "derelict" appears in my printed memorandum In reply to a question from you this occurred

24833. But what I understood from you was that people would understand by the use of the word "derelict" a farm which is absolutely going out of cultivation, which is being used neither by the landlord nor by the tenant?—Oh, I see. Of course there are such, but they are not to any large extent.

CHAIRMAN.—You prefer to modify your statement of yesterday by saying that there are farms which are not derelict, but untenanted?

24835. Most Rev. Dr. O'DONNELL.—Are we passing from the question of net income from tenanted land?—Lord Dudley has given me leave to clear my mind of two or three matters before I go on. The next two are important ones, because there was adverse criticism yesterday by Sir Antony MacDonnell on my evidence, which at the time I could not grasp or understand, and I thoroughly understand it now The first has to do with the illustration given before, which Sir Antony MacDonnell held has to do with the cost of production.* The point for which this illustration is used is this: If the cost of production is increased it does not follow that the rent is to be decreased by the same percentage That is the point. That illustration before you shows it. Sir Antony said he would reduce it to an absurdity, and that he would prove it if it was carried to an extreme. I say no matter what it is carried to it is absolutely the same, because it is a relative proportion. He doubled the cost of production, £40, and made it £80, leaving £20 to be divided between the landlord and the tenant, and he divided that correctly as it is put there, one-third to the landlord, £6 13*s.* 4*d.*, and two-thirds to the tenant, £13 6*s.* 8*d.*; and Sir Antony said that as £6 13*s* 4*d.* is less than the third of the old rent my point failed. My point was that a given percentage of increase in the cost of production will not justify a similar percentage of decrease in rent. The percentage of increase which Sir Antony has taken is 100 per cent, by doubling the cost of production But if you reduce rent by 100 per cent. how much will be left? Nothing. Instead of that Sir Antony shows that there is £6 13*s.* 4*d.* left, which proves my illustration to be water-tight. That is all I have to say on the subject I do not want to take you short, Sir Antony, for you gave me time to consider the matter. The next point that Sir Antony took me on—and it was a very heavy blow, and I could not understand it—was that I quoted Mr. Wyndham's introductory speech on the Bill of 1903, and alleged that it was based on £100,000,000 as the purchase money of estates. Sir Antony quoted an extract from Hansard, which he said showed that Mr. Wyndham contemplated £90,000,000——

24836. Sir ANTONY MACDONNELL.—No; I do not think that is it?—I think you mentioned that Mr. Wyndham contemplated £90,000,000 I have an extract from Hansard with me to-day. Mr Wyndham mentioned £90,000,000, but you quoted that to show that I was wrong I said that Mr Wyndham contemplated twenty-five years' purchase by £100,000,000.

24837. What I stated was that there are other passages in Mr. Wyndham's speech which indicate other amounts of years' purchase than twenty-five; that he referred to twenty-two, and that he referred to eighteen; and the result of what I said was that you cannot base any argument on what was stated by Mr Wyndham in introducing the Bill, and that you have to look to the Act itself. That was the argument on that point. If you have Hansard there would you read the proceedings?—I have not Hansard. I have a written extract from it.

24838. I have no doubt that the extract is accurate?—Oh, absolutely so.

24839. What is the reference?—Hansard—page 1089 This is my position. I stated yesterday that the average price of second term rents contemplated by the Act of 1903 was twenty-five years' purchase, plus the bonus. Sir Antony flatly contradicted that view, but I find that I was right.

24840. Now would you repeat that again?—I stated yesterday that the average price of second term rents contemplated by the Act of 1903 was twenty-five years' purchase, plus the bonus.

24841. Contemplated by the Act?—Well, as far as we can say that a statute contemplates anything

24842. Are you quoting now from Mr. Wyndham's speech?—No; this is my statement. Sir Antony flatly contradicted that view; but I find that I was right. Sir Antony quoted the following words from the speech of Mr. Wyndham in the House of Commons on the 10th of June, 1903 (Hansard, 1089):—'This Bill provided incidentally for twenty-two years' purchase of second term rents and for something over eighteen years' purchase of first term rents." I was unable to understand how such average prices could be deduced from the financial provisions of the Act, but I was not in a position at the moment to ascertain the meaning that should be attached to Mr. Wyndham's words. I have, however, since ascertained that Mr Wyndham was referring not to the average or maximum price but actually to the minimum price which the Bill provided should be paid to landlords plus the bonus for second term and first term rents, respectively, in cases within the zones This fact can be easily seen by looking at the minimum zone prices in the table which has been sent in to the Commission by the Estates Commissioners and printed at page 350 of the Appendix to the Third Report. The Estates Commissioners say that the minimum zone price for second term rents is a little over 21½ years' purchase (Mr Wyndham said 22); and for first-term rents a little under 18½ (Mr Wyndham said something over 18). The whole debate shows that this was the meaning which the House of Commons attached to Mr. Wyndham's words For instance, Mr. T. P. O'Connor stated (it is at page 1112) "that under the Bill the landlords were to get in cash 22½ years' purchase in the case of second term rents or 18½ in the case of first term rents, and that was taking the most favourable terms to the tenants." I therefore respectfully ask the Commission to accept as accurate the statement which I made originally, namely that the Government in the Act contemplated 25 years' purchase as the average price exclusive of the bonus to be paid to the landlords for second term rents Indeed no other conclusion is possible, for £100,000,000 represents exactly 25 years' purchase of £4,000,000.

24843 You will admit that when you made this reference to Mr. Wyndham's speech I said that although one passage might be quoted from Mr. Wyndham's speech in favour of one view a passage might

* See questions 24434 *et seq.*, p. 100.

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also be quoted from it in favour of the other view?—Incorrectly quoted from it.

24844. That is in your opinion, sir, but not in mine. In your opinion it may be incorrect, but not in mine. And that if we wanted to find out the meaning of the Act we had to look to the Act and not to the statements in Mr. Wyndham's speech. Now, I do not want to labour this point, but what I want to point out to you is this, that if you had read the whole passage on the page you quoted from, 1089, you would have seen that Mr. Wyndham's words were used in reference to an interruption by Mr. Dillon. Mr. Dillon stated, "I said I would wait many more years before I would close with a bargain for 25 years' purchase." That was a statement on Mr. Dillon's part that he was unwilling to accept a measure for 25 years' purchase, and with a view to mollifying or mitigating Mr. Dillon's opposition Mr. Wyndham said, "That," (namely the 25 years' purchase) was not the Bill before the House. "This Bill" (namely the Bill before the House) "provided incidentally for 22 years' purchase of second term rents and something over 18 years' purchase of first term rents." Mr. Dillon was directing attention to the larger aspect of the case, to the bigger prices which the Bill was to give, and Mr. Wyndham wishing to divert his attention from that directed it to the smaller aspect of the case. Neither aspect of the case is really useful for our present purpose. Neither has been accepted. We have to look to the Act itself which enables landlords to make agreements from 21½ years' purchase to 28 years' purchase. Neither 25 nor 22 years' purchase is provided for by the Act. No medium and no mean is provided by the Act. There is a sliding scale provided by the Act. It is not really of any importance?—It is of the greatest importance, Sir Antony, for this reason, that I am responsible here—and the Commission are good enough to bear with me—I am responsible to the Irish landowners to give their case fairly, and I do not want to make an unfair statement, but to make a fair statement of it before the Commission, and I also am in this difficulty, that I do not want to unduly find fault with you, certainly not; because you are labouring under a disadvantage; you are away from your head-quarters.

24845. I think you will not make anything else out of it?—But I do think that there is an excuse for you, because you are away.

24846. Please don't?—Then we will come to grips at once. I have been through the whole business. I have been through the whole business of the Bill in the House of Commons, sitting under the gallery of the House of Commons when Mr. Wyndham was speaking, and consulting with the landowners in relation to each point. I know exactly all the details of the Bill. Till within the last few years you have been absolutely unfamiliar with the very intricate code of law dealing with Irish land.

24847. Well, I was present at the original conception of the Bill, and knew more about it, perhaps, than anyone, with the exception of Mr. Wyndham?—That removes any doubt I may have had, and you, perhaps, have entirely forgotten, if you ever knew, that that very debate which you have quoted from was grounded on this—an attempt of the tenant party to knock the bottom out of the zones. That was the point. That whole debate—I will refer you to it—started on that one point—an attempt to knock the bottom out of the zones; and it shows that the view that you have put before the Commission now is not the true view. The true view was to get Mr. Wyndham only to deal with the bottom level of the zones—when you made that quotation which you quoted as proving that the average or maximum price of land was not to be 25 years' purchase.

24848. There was not one word about average or maximum price in the Bill. There is no average or maximum price of land in the whole Act. The view that you have put forward now, that there was an average or maximum price, is a thoroughly mistaken one?—I stated that 25 years' purchase was contemplated.

Sir ANTONY MACDONNELL.—You stated now that there is an average or maximum price. But really we are going back and back.

24850. CHAIRMAN.—I think we had better leave it?—Now, Lord Dudley, we come to a question that you asked me yesterday, and kindly allow me to bring it out here, and also one that Sir Antony asked me on the same subject. But, Lord Dudley, there was another thing yesterday. May that come in here too? I can quite understand, in regard to the Act of 1870, where, as you remember, the security was under the Treasury regulation, that they would advance two-thirds of the money not exceeding 30 years' purchase of the land. You very rightly said that we were to remember that that was a prosperous time, and that land had been heavily reduced since, and that, though the Treasury might at that time have thought that the two-thirds was safely carried by the then existing land, the reductions that had happened since altered the case. Kindly allow me to say that that was a fallacy. I think I can show that that rests on an assumed loss of security of 40 per cent. I state that roughly, because, according to the Land Commission, there was a reduction of 20 per cent. on the first-term and 20 per cent. on the second. But that is not 40 per cent. on the two. Take £100. A reduction of 20 per cent. makes that £80. So that it really works out to a 36 per cent. reduction on the two. I would ask you to remember that. Now, on the other hand, we find that the tenants were paying 5 per cent. to the Treasury for all the money they borrowed, and, the cash that they advanced out of their own pocket, being one-third of the purchase money. We may assume that 5 per cent. would have covered all, either in advancing cash, if they had it, or in borrowing it if they had not, at 5 per cent. But now they pay only 3¼ per cent. on the whole advance for purchase money. That is, the interest now has been reduced to £3 5s.

24851. The period being extended?—Quite so, but the liability is reduced. Inasmuch as the liability of the tenant is outgoing the original assumption is that the security improves; and the 36 per cent. that was brought down through the reduction of rent is met by the 35 per cent. reduction in the interest that the tenant was then paying, and it leaves the security within one per cent. of what it was before. Interest was reduced from 5 per cent. to 3¼ per cent., and that is a reduction of 35 per cent. Of course 3¼ per cent. is 65s.

24852. But that argument would apply better if the 5 per cent. was being paid to some other person than the Government; but it was being paid to the Government. There was no particular security to the Government, was there, in reducing the rate of interest?—That was a liability on the tenant. He had to meet it.

24853. Quite so?—It was a first charge on the land.

24854. And the first charge on the land was held by the Government?—Quite so.

24855. So that in each case the whole and only security is the tenant's holding. It may be as you argue that the reduction of 5 per cent. to 3¼ per cent. made it less likely that the tenant would get into difficulties. It left him a greater margin for his own use; but I do not see that it affected very much the security of the State itself?—It discharged a debt on the holding.

24856. What debt?—The difference of the 5 per cent.

24857. To the State?—Yes. It took 65s. instead of 100s.

24858. Is the State better secured? Supposing that in the original instance it holds a mortgage upon the tenancy, which carries a rate of 5 per cent., and is repayable in 35 years, is it better secured by reconstituting that debt into one which remains for 68½ years and then carries 3¼ per cent.?—But that is hardly the position here. Is not the position here this—that in the case I contemplate, under the Act of 1870, the Treasury were willing to accept as their security a higher rate of interest, 5 per cent. Now the Treasury are only charging 65s.; so that is an improvement.

24859. Sir FRANCIS MOWATT.—For a longer period?—For a longer period, making it all the safer. I only wanted to bring out that, Lord Dudley, but I do not want to press it more than that, unless the Commission thinks I can throw light on it.

24860. CHAIRMAN.—You stated yesterday that a great deal of property had changed hands where the tenant had paid out of his own pocket a larger proportion than the one-third?—Yes.

24861. You state that. Without having the absolute figures before us, we cannot go into what you call "grips" on that subject?—No.

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24862. I think most of the land that has been sold was on the basis of two-thirds advanced by the Board of Works and one-third advanced by the tenant?—I quite agree with you.

24863. If that is so, then you say the landlord is governed by the Board of Works' advance, or 30 years' purchase of the poor law valuation?—Yes.

24864. My point is that if these landlords were willing to sell on the basis of 30 years' purchase of the poor law valuation, when rents were 36 per cent. higher than they are now, the equivalent of that to-day would be about 18 years' purchase of the valuation which we are told roughly correspond with second term rents. That is the only point?—Well, if you do not take me as agreeing with it Lord Dudley, I will not labour the matter in reply to the question you put to me now. This is beginning the business of to-day. That was all clearing off grounds that we went over yesterday.

24865. Sir Antony MacDonnell.—Before you go on I should like to understand one point you mentioned with reference to figures about the cost of production. I should like to understand what the point is there. Have you got any instance in which the cost of production has increased 20 per cent in the figures that you mention?—Yes, that is quite right.

24866. Cost of production increased 20 per cent.?—Yes.

24867. And the landlord's rent is diminished by 13 per cent.?—Yes.

24868. That was it?—That is it

24869. Is your position this that no matter what the increase of cost of production may be the reduction in the landlord's rent will always bear to such increase the same proportion that 13 per cent. does to 20?—No, that is not quite it. It is exactly stated in my memorandum.

24870. I have read what is at the top of the page, and I should like to have it in your words Your illustration gives 20 per cent. as the increase in the cost of production and the resulting net produce, divided between the landlord and the tenant, gives the landlord a rent reduced by 13 per cent.?—Yes.

24871. Am I to understand that it is your opinion that no matter to what extent the percentage of increase may be the diminution of the landlord's rent will bear the same proportion that it does in the case of the 20 per cent. increased cost of production in regard to the 13 per cent reduction of the rent?—Certainly not. That statement would be most misleading.

24872. That is my point?—Remember that that would be misleading.

24873. It would be, as you say, misleading?—Yes, the statement would be misleading.

24874. I will read my statement, so that there may be no misunderstanding of my statement, that your illustration shows an increase of 20 per cent. in the cost of production?—Yes.

24875. With the result of a diminution of 13 per cent. in the landlord's rent?—Yes.

24876. Then am I to understand you to mean that a still further increase in the cost of production will result in the diminution of the landlord's rent in the same proportion as prevailed in the case that you gave, 20 per cent.?—No; but you are to understand—you may take it from me—that no increase in the cost of production will result in an equal percentage of diminution of the rent.

24877. Now, would you just look at the illustration I gave you yesterday, and does not it conflict with your words? Take the case of 20 per cent increased cost of production?—Yes.

24878. You say the produce is £100 and the cost of production £40. That leaves £60 to be divided?—Yes.

24879. Now increase the £40 by 20 per cent.?—Yesterday it was doubled.

24880. I am now coming to it. I am showing what your point is?—Yes.

24881. Twenty per cent. increase of £40 would make it £48?—£52 would be the net produce, and that would give the landlord £17 6s. 8d.

24882. Is that a reduction in the rent of 13 per cent.?—13 per cent. as compared to 20 per cent. increased cost of production.

24883. Now, will you take an increase of 100 per cent. The £40 is increased to £80?—The £40 cost of production is increased to £80.

24884. Yes, and that will leave £20?—Yes.

24885. And that divided between the landlord and tenant will give £6 13s. 4d. to the landlord, and will give £13 6s. 8d. to the tenant?—Yes, right.

24886. Now, is not £6 13s 4d. a diminution of 66 per cent. on the original rent?—It is quite possible

24887. Therefore it follows that 66 per cent. is the same rate to 13 per cent. that the 100 is to 20?—No, Sir Antony; a given percentage of increased cost of production will not justify the same percentage in the reduction of rent, that is to say, if you reduce it cent per cent. you have nothing at all. What would your rent be if you reduced it cent. per cent

24888. I corrected that point you remember?—You said 300 per cent

24889. I corrected that point, you remember, afterwards and reduced it to 66?—But you have it here again in what you said now.

24890. My point is this, that an increase of 20 per cent in the cost of production leads to a diminution of 13 per cent. in the rent?—That is mine

24891. Which I maintain, and it is exactly the same thing to suggest that an increase of 100 per cent. in the cost of production leads to a diminution of 66 per cent. in the rent?—I am quite willing to let that go down and let anyone answer it that can. I cannot explain it further You are absolutely wrong in figures Will you excuse me for saying it It is a very intricate thing, and I have gone into it.

24892. Most Rev. Dr. O'Donnell.—I have been following the figures very closely, and would suggest that they be not carried any further.

24893. Sir John Colomb.—And I agree with the Bishop that the question is rather academic We are presented by you with an extract from the report of the Commission presided over by Lord Justice Fry, who carefully examined the question and held that the cost of production may be treated as a constant quantity, and therefore the whole question is really academic as regards affecting the ultimate price. Do you agree with that?—Well, not quite that it is academic. I agree with what you quote from the Fry Commission Now, yesterday afternoon, Lord Dudley, you required from me my opinion on another matter. You stated a case and asked me to consider it and to bring you my opinion on it this morning. The case is this. It is with reference to the sale price of estates encumbered and unencumbered of £1,000 of second term rents The cost of collection taken at 10 per cent. is £100. That deducted from the £1,000 leaves the net income £900. I was asked then to consider how this would work out, the object being to produce from the result an income equivalent to the net income, at 3½ per cent. Twenty-three years' purchase of the £1,000 gross rent would be £23,000 The bonus of 12 per cent on the £23,000 would be £2,760 These two added together would produce £25,760. Three and a-half per cent. on that would yield an income of £901 12s. 6d The tenants would have to pay £23,000 (after deducting the bonus), and the interest on the advance would be £750, the accumulated interest of all the tenants.

24894. Chairman.—The interest on what?—The interest on the £23,000, the interest payable in future, the purchase annuity. That would be £750.

24895. They get a reduction of 25 per cent.?—A reduction of 25 per cent. That is the case of the unencumbered estate on the basis that the question was submitted to me on Now, in the case of the encumbered estate I have worked it out, Lord Dudley, according to the view you propounded yesterday, which, you will excuse me for saying, I do not agree with, but I have worked it on that basis to show you how I think it must be wrong

24896. On what basis have you worked it?—On the net income after deducting interest We will go through it now. This is an encumbered estate. Everything is exactly the same, and we take two estates exactly the same except that one estate is encumbered and the other is not Now, we have the encumbered estate of £1,000 of second term rents. Cost of collection at 10 per cent. is £100, which deducted from the £1,000 leaves £900. Now, there is a mortgage assumed to be on this estate of £6,000 at 5 per cent. The yearly interest will be £300 It was suggested that the £300 should be deducted from the £900, leaving the net income in that case £600, and the question arises, how that estate should be sold to produce a net income of £600 Twenty-three years' purchase of the £600 would be £13,800. And then

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the way you took it yesterday, Lord Dudley, was to add the amount of the mortgage to that, which is to be cleared off—£6,000. What you said yesterday was 23 years' purchase of the £600—£13,800.

24897. No, nothing of the sort. I said yesterday 20½ years' purchase of the £1,000?—Was it? Well, may I go on with this, and I will show what I think is a fallacy. Twenty-three years is the same number of years' purchase as the State pays in the other case.

24898. My point was that in the case of the encumbered estate the tenant is giving 2½ years' purchase less than he does in the case of the unencumbered estate?—Yes.

24899. If you work it out you will find that 20½ years' purchase of £1,000 gross rent plus the bonus is sufficient to return the £600 a year to the landlord, which is what he enjoyed before, and also to give him £6,000 for paying off the mortgage?—Then perhaps I had better not read the rest of this. I do not agree with it.

24900. Let us have your figures, your way of putting it?—It is not my way of putting it. I thought I was following your line in this. I do not agree with it, and I shall go on to criticise it.

24901. Very well?—The point is this——

24902. Let me just say again, as it originated from me, that you are perfectly right in saying that in the case of the unencumbered estate 23 years' purchase is required to give the landlord his £900 a year, and that means for the tenants a 25 per cent. reduction of rent?—Yes.

24903. Then in the case of the encumbered estate, where the man had to pay £300 a year as interest on a £6,000 mortgage and therefore only enjoys £600 a year, 20½ years' purchase of the £1,000 annual gross rent will give you, plus the bonus of 12 per cent., which is £2,460, a sum sufficient at 3½ per cent. to pay the landlord £600 a year and £6,000 for the mortgage. In other words, deducting the capital sum of £6,000 for the mortgage, £17,000 would give you the necessary sum to ensure the landlord his £600 a year, and the balance will go to the mortgagee?—Well, my point is this. I think it was entirely wrong if the purchase money of an estate is to be calculated on the basis of net income. To start in the case of an encumbered estate by deducting the outgoings in the way of mortgages you will have to alter the whole or a large part of the provisions in the Land Purchase Acts. The provisions of the Land Purchase Acts are these, that once the purchase money is lodged in bank every security hitherto on the land is discharged and attached to the money, and if you first deduct from the gross rental the interest of charges you are making the owner pay, thereby reducing the basis on which the purchase money is calculated and sanctioned, that reduced purchase money is put in bank to make him pay the £6,000 mortgage afterwards.

24904. Sir Francis Mowatt.—Was that gone into fully?—The rental it is proposed to reduce by the interest, £300, on the mortgage and to show that that owner's income was only £600. Then you take the reduced income and he is a loser by the calculation made on that, and when the money is put into the bank the money in the bank is to pay a capital sum to the mortgagee.

24905. Chairman.—I do not admit that?—But may I just go on?

24906. Yes?—If that is the true principle to work on in the case of mortgages it would be right for both rentcharges and jointures and everything else. It would be right in the case of a terminable annuity or a jointure, and you can see readily what that might lead to. But I think the real way to present it and to show that it must be a wrong system is this. The things being sold are identical, the two estates. The mortgage on one of them is no defect on the estate so far as the tenants are concerned, and why should a different price be paid for an encumbered property by the tenants from that which is paid for an unencumbered property, when the mortgages are cleared off? The parties to the transaction are the landowner and the occupying tenant. The Treasury only comes in as advancing the money, and these are the parties to the transaction, and why should one set of tenants buy the same thing much cheaper than the other set of tenants? What I want to point out is this that there is a legal argument that should apply legally. I think Lord Dudley suggested that the owner should rather get the better terms on an encumbered estate.

24907. If you treat these two estates he will get £100 a year more?—The reason is this, that in every mortgage there is an equity of redemption that the owner has a right at any time he likes to produce the £6,000 to clear that estate. That is a valuable asset. That means that he has a right without any permission on serving notice to pay off the charge. And I put it to you, supposing two men are going to sell their estates, one encumbered and the other not, and the encumbered man says, "Oh, if we are going to be calculated on the reduced income I will get a loan of the amount of the mortgage and pay it off now and sell it as an unencumbered estate." Does not that show that there must be a fallacy in calculating the net income by reducing it by the interest of the mortgage?

24908. Sir Antony MacDonnell.—I assume that the equity of redemption is a valuable asset?—Quite so.

24909. Chairman.—If a system such as you advocate is adopted, what it amounts to is this, that you are asking the State to advance money for the general capitalisation of the value of the estate at 3½ per cent.; at the same time giving you power to recapitalise £6,000 worth of the estate at 5 per cent. In fact, you are asking the State to advance money in a way that enables you to recapitalise at a much higher interest, and therefore save the balance of the two capitalisations. That is what it comes to.

24910. Sir Francis Mowatt.—I thought that the aim of purchase was to put the landlord in the possession of his net income through the State?—We agree, except that we do not quite agree what the net income should be.

24911. Yes, but the value of the estate is the rent less anything you have to pay out of that rent in respect of a mortgage?—An ordinary mortgage, yes.

24912. An ordinary mortgage. Now, the calculation of Lord Dudley is that a certain sum should be set apart from the purchase money to pay off that mortgage and to relieve the landowner from the interest of the mortgage. That would leave the income of his estate £600, and you proceed to calculate the sum which at 3½ per cent would produce £600. His interest therefore is fully met. You suggest that there is a right, an equity, for the payment of the mortgage. The State would exercise that right of redemption and pay off the mortgagee?—Out of the purchase money.

24913. Yes. They would do that and they would then leave the landowner such amount of the purchase money as at 3½ per cent would produce his £600 a year?—But would it be right to deprive the landowner of the possibility at any future time if he had been left as the landowner to clear the estate?

24914. But the State propose to do that for him at once and exercise the redemption?—And deprive him of the interest. He might get it on cheaper terms.

24915. Or dearer?—Not as money is going.

24916. Chairman.—Yesterday I asked Mr. Boyd to tell us, supposing compulsory powers were given, whether he could suggest any way in which compulsory powers could be exercised on some system or basis of net income which should satisfy his mind as to prices, and he started by saying that in his view the basis should be what he stated as Land Conference terms. He interpreted Land Conference terms as being the gross rental as represented by second term rents, minus a deduction for cost of management purposes, which should be a maximum sum not exceeding 10 per cent. But Mr. Boyd's request is that 10 per cent in every case should be regarded as the maximum amount of outgoings really, that no matter whether the outgoings were more than that, the 10 per cent. should mark the final limit. But there is a further difference—how you are to purchase the rental—Mr. Boyd demands that in every case, whether there is a charge or not, you should start by advancing to the owner an amount which would capitalise the whole gross value of the rental?—Yes.

24917. Before you make any deduction. Then you make the deduction afterwards, and as I pointed out in these two cases that would mean that the net purchase money would be very much enhanced, because the mortgage is capitalised by the State at a lower rate than it is by the landlord, who would have the benefit of the difference. If you go on the other plan, if you first of all deduct his outgoings you leave the man with his net income, and the result of that would be that the tenants would not have to pay so much by 2½ years' purchase. They would get the

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land cheaper, and there is no absolute loss to the landlord. He has still got his income and he has still got the actual amount of cash that he enjoyed before, the only difference being that, as Mr. Boyd points out, that he loses the equity of redemption. What the value of the equity of redemption is you have not told us. Would the equity be valuable except for the advance by the State at a low rate of interest?—It is a lawyer's question. It is a legitimate argument. But the difficulty, it seems to me, is in the view propounded by Sir Francis Mowatt.

24918. Sir Francis Mowatt.—I am not propounding any view. I merely took the figures you stated, and I understand it to be a question whether the State should continue to the landlord the net income which he is receiving to-day or something more. Lord Dudley made out the case just as I have put it to you.

Chairman.—What Mr. Boyd asks practically is that some procedure should be adopted under compulsory powers as is now followed, as I understand, in ordinary sales between landlord and tenant?—Yes.

24920. This would require the State to purchase, I believe, without any regard to the net income of the landlord?—No, not in the way you put it.

24921. And then the money is lodged in the bank, and the people who have a claim on it come in. And that is why the effect of land purchase hitherto in Ireland has been that the people who benefit most are the people with most mortgages?—But look how many have been paying a higher rate of interest on their mortgages. But, Lord Dudley, might I say this. It seems to me to reduce the position of things *ad absurdum* to sell two identically similar properties at different rates of purchase simply because the owner of one happens in his private capacity to have borrowed money.

24922. When you say absurd are you speaking from the tenant's point of view or from the landlord's point of view?—From any point of view. I say why should two identical things not fetch the same price in the market?

24923. In the first place would you be prepared to deny that so long as complete justice is done to the landlord—I admit that what is justice is debatable—but that so long as complete justice is done to the landlord it is naturally advantageous that you should be able to sell to the tenant and allow the tenant to purchase the land as cheaply as possible?—Yes, with that saving clause, complete justice.

24924. Therefore, so far as the landlord's position is concerned, that whole question turns on whether complete justice is represented by a guarantee to the man that he shall have a sufficient sum of money which at 3½ per cent. will ensure him for his own enjoyment the actual amount of cash that he has been putting in his pocket before?—I could not say that I thought that.

24925. Would it not turn on whether that is a proper view to take of what is complete justice?—Yes.

24926. Would you go further than that and say, "No, the property apart altogether from the charge upon it represents a certain sum"?—Yes.

24927. And complete justice will not be fulfilled unless that property is sold for that sum?—Yes.

24928. Although you admit that under the procedure you plead for the result would be that the encumbered landlord would actually under an arrangement of that kind put into his pocket a large additional sum of cash?—A slight sum.

24929. I mean, in the case I have given you, £100 per annum extra?—Yes.

Sir John Colomb.—I want to follow out Lord Dudley's illustration. His illustration conveys to my mind that there are two properties, in every respect identical, for sale, and that because one landlord in his private capacity has borrowed money, the tenants on that property are to pay less for their land than in the other case where the landlord has not borrowed money. Is that the position?

Chairman.—The position is that the tenants would be able to purchase their land 2½ years' purchase cheaper upon an encumbered property than they would upon an unencumbered estate.

Sir Antony MacDonnell.—That is to say, they would pay £20,500 on one estate——

Chairman.—Yes, and £23,000 on the other.

Sir John Colomb.—Therefore the encumbered landlord could add £3,000 to the purchase money, and the tenants are to pay it if he can get clear of the mortgage?

Chairman.—Surely if a landlord can succeed by any means open to him in paying off the mortgage there is no reason why he should not do so.

Sir John Colomb.—But I point out to you that he can impose £3,000 more on the purchase money to be paid by his tenants.

Sir Francis Mowatt.—The landlord has disposed of his estate subject to these liabilities. What he disposes of in this way is an estate subject to a mortgage. You cannot expect that the landlord of an estate subject to a mortgage will be paid for it at the identical price of an estate which has no liability and is absolutely free.

Chairman.—I understood the witness to dispute that premise altogether. He says that the State advances money for the land and not for what the landlord has to dispose of.

24931. Sir Francis Mowatt.—For the land subject to these liabilities?—My answer to Sir Francis Mowatt would be this. I say, as Lord Dudley has said, that it is the land. But land is subject to charges; the mortgage is attached to the fee. It is the fee the owner wants to sell. The State being the party advancing the money, it is the State's duty to see that before the fee is transferred it is clear of all liabilities. The State does that at present under voluntary sale by paying out of the purchase money. I do not see why it should be right voluntarily and wrong compulsorily, and why if compulsory powers are taken they should be used to inflict an injury on the owner which he would not be liable to if voluntary sale under the Act of 1903 were still in force.

24932. I think we are agreed now exactly as to the position of the landlord?—Yes.

24933. Now, let us come to the position of the tenant. The position of the tenant in the one case is to pay 2½ years more purchase than in the other—in the one case 20½ and in the other 23. The bonus in both cases is the same?—The rate, not the amount.

24934. Yes. Would you be disposed to view with any sympathy at all a proposal that in cases of that kind the bonus should be graduated so as to bring the amount of money to be found by the tenants to a more or less equal sum?—The bonus will not be the same in the two cases.

24935. No, but the rate will be the same?—Yes.

24936. Would you be prepared to equalise the payments to be made by the tenants in the two cases by giving more bonus to the unencumbered estate and less to the encumbered estate—a lower rate?—Under compulsory powers?

24937. Yes?—No, I would not. It could not be done without modifying the principle of the Act, which was 12 per cent. on purchase money.

24938. But what is the principle of the bonus? Is not that the whole point? The principle of the bonus was to provide a bridge between what the landlord could sell at and what the tenant could pay. Is there anything in that principle which necessitates that the rate of payment should be a fixed rate? If you find that your gap can be better bridged by some kind of sliding scale which would give less in the case where land could be purchased cheap for the tenant, and more where the land has to bear a higher price, is there any reason why the bonus should remain fixed at 12 per cent. all round?—I think the principle on which the bonus was fixed was to bridge the gap. But it was assumed, I think rightly, that the gap existed on all estates, good, bad and indifferent.

24939. But in a greater or less degree?—Well, I really don't know. Under a voluntary system it might be possible. The gap would be there all round, and so long as things were left to voluntary arrangement it would not matter. But when it comes to compulsion, then it seems to me to be rather a serious matter to tamper with the fixed rate of bonus, because it looks as if someone outside, say the Treasury, were coming in and saying they wanted better security, or the Estates Commissioners might say they wanted better treatment for the tenants.

24940. Suppose we take the case that it is fair compulsorily to buy out the landlord on the basis of net income, and you arrive at that net income by deducting the mortgages and charges on the estate?—You will take me as disagreeing.

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24941. Yes, but supposing for the sake of argument that it is fair to give the man the actual cash he enjoyed before, in the one case £600, and in the other £900?—Yes.

24942. Under that ideal state of things you contemplate we have satisfied the landlord. Now we come to deal with the tenants. In the one case they pay 20½, and in the other 23 years' purchase. Naturally the tenants in the second case paying 23 years' purchase grumble because the people next door are getting land, which is apparently the same, for 2½ years' purchase cheaper than they are. Under my proposal what you would do would be to graduate the bonus, and the people who had to pay 20½ years' purchase would get a bonus of only six per cent. That would bring the amount they had to pay up to 21¾ years' purchase. In the other case, that of the encumbered estate, the tenants would get an 18 per cent. bonus, which would make the total bonus paid the same as if twelve per cent. were paid in each case. That would reduce the payment they would have to make from 23 to 21¾ years' purchase. So that in that case by graduating, by merely dividing in a different way the sum of money which is given by the State to bridge the gap, you actually can bring the payment the tenants in each case have to make to exactly the same. Then again, let me remind you of this. Apparently under the Land Act the bonus was only a temporary arrangement, because, under Sub-Section 3 of Clause 48, the Treasury can revise it every five years?—Yes, but may I just say this. My view is that it would be a very nice arrangement for the tenant, but the bonus was given to assist the owner.

24943. No, no, certainly not?—I think it was to enable landowners to sell who were not able to sell.

24944. No. The bonus was given for the sole and simple purpose of bridging the difference, to make it possible for land to be transferred at a price at which the landlord could afford to sell it, and at which the tenants could afford to buy it. It was not given in the interest of one class any more than in the interest of the other class. It was simply a grant to bridge the difference?—That is not the view that landowners have taken of it.

24945. But that is obviously the reason. To bridge a gap the bridge must have two ends to it?—Yes, but the gap was a deficiency in the purchase money, and it was to make up that that the bonus was given.

24946. The deficiency from the landlord's view in the purchase money? The seller could not afford to sell below a certain price, and the tenant could not afford to give a certain price, and in order that neither party should have to undergo an unnecessary strain, the State gave a grant to bridge the difference?—And inasmuch as the first section of the Act of 1903 contemplates the zone system within which it would be safe for the Treasury to make an advance without inspection, the bonus was taken into account, which would show that the bonus was intended to make up the price to what the landlord could sell at. The bonus is included in the zone.

24947. Sir Antony MacDonnell.—You say the bonus is included in the zone?—What I mean is that in a case falling within the zones the owner gets the bonus of 12 per cent. on the purchase money.

24948. Chairman.—It seems far truer to say, if it is to be taken as a grant to one class or another, that it is much more like a grant to the tenant than to the landlord?—But they pay no interest on it. This difference cuts radically at the root of the suggestion I made that I thought ought to be satisfactory to the landlords, because my suggestion is that it is to be based on net income, and by net income I said that I meant second-term rents less ten per cent.

24949. Quite so?—I do not want to be misunderstood, that is all.

24950. Sir Antony MacDonnell.—Capitalised at 3½ per cent.?—Yes, would Sir Antony like me to answer the question put to me last night on this matter—whether it would include the bonus.

24951. Yes; would you explain that. The point I wanted to make perfectly clear was this. You stated the willingness of the Landowners' Convention to accept as the basis of land purchase second term rents minus 10 per cent.?—Yes.

24952. The remainder being capitalised at 3½ per cent.?—Yes. You worked that down to a certain figure, £100 less £10, leaving £90, and capitalising that, you asked me did that sum thus arrived at include the bonus.

24953. We can do it very easily. Let us take £100. Ten per cent. from that leaves £90. £90 capitalised at 3½ per cent. will be £2,580. I want to know whether that would include the bonus?—First, I understood you to say in reference to your query that it was not compulsion you were dealing with, but voluntary sale?

24954. Yes?—These are the terms that I think the landowners would be satisfied with, and ought to be satisfied with in the case of voluntary sales.

24955. Did the £2,580 include the bonus?—I can answer that in this way. In the case of tenanted lands the landowners would be satisfied, in my opinion, if, on the completion of the sale they received such a capital sum in cash as will, when invested in a 3½ per cent. security, provide them with an income equal to their net income derived from second term rents. But this should be over and above all costs incidental to the sale.

24956. This is something new?—This takes the place of the bonus. I could answer this way. It is the sum you mention, plus the bonus, or if these costs are borne without it.

24957. If you answer me in that way it will not be answering in the same way as yesterday?—I got a little confused towards the close, but this should be over and above all costs incidental to sale, and should cover all loss of income incurred during the progress of the sale. By net income I mean gross second term rents less a sum not exceeding 10 per cent. for the cost of collection and management where those have been incurred. In such cases as there are solvent arrears due by tenants an equitable addition should be made to the purchase money to compensate for their cancellation.

24958. That is outside this matter?—I did not understand that. I thought it right to mention that. I may say also before I have done that it stands outside, what Lord Dudley has referred to, all extraneous sources of revenue such as sporting rights, timber, etc., and other things. These would not be covered by such a price as that.

24959. The £2,580, if you take 3½ per cent upon it, will yield £90?—Yes.

24960. That is his net income?—You took it at £90. That is your illustration.

24961. I followed you, inasmuch as you allow 10 per cent. deduction?—Yes.

24962. That is the basis on which I understand you to say the landlords were agreed?—Yes.

24963. On a purchase price of £2,580 you get at 3½ per cent. £90?—Yes.

24964. Therefore that £2,580 must include the bonus. You don't ask the bonus over and above your net income, do you?—No, but do you see, according to the terms I read out that £2,580 would be required in cash at the close of the transaction. I don't care whether you call it bonus or anything else, but there are certain costs connected with the sale. From my own experience, and knowing what other men have done, I think that the costs of the sale come to about 10 per cent.

24965. That is very close to 12 per cent.?—Yes, but it hardly comes up to it. I can tell you the separate items of that if you wish.

24966. It comes to this: the bonus should be given over and above the net income?—At least 10 per cent.

24967. I thought you would revise your opinion?—You might have suggested it to me.

24968. I don't know whether it is really necessary that I should examine you upon that portion of your evidence in which you question the action of the Estates Commissioners generally in regard to land purchase, but perhaps I may ask you as to one or two points. You remember in the early part of our conversations I asked your assent to the division of land purchase operations under four heads, following the division in the Act. 1st, land purchase operations within the zones; 2nd, non-judicial cases outside the zones; 3rd, Land Judges' cases, and 4th, cases of indirect purchase where the landlord sells direct to the Estates Commissioners. We left out of consideration for the time the sales to and purchases by the Congested Districts Board?—I remember that.

24969. I think you agreed that that was an exhaustive description of the methods of land purchase?—As far as my knowledge goes.

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24970. In regard to the cases within the zones am I right in inferring from what you said that the Estates Commissioners have really no means of interfering with the progress of purchase and sale except in regard to the definition of an estate. If they define a property to be an estate they become afterwards more ministerial advisers than anything else in dealing with estates?—I think so.

24971. So your criticism with reference to the action of the Estates Commissioners in regard to the first of these categories will only apply as regards the definition of an estate?—In which portion of my evidence is that?

24972. You commenced yesterday by general criticism of the conduct of the Estates Commissioners in regard to land purchase. I don't want to surprise you into any declaration whatever. I have asked you to consider whether there is any means for the Estates Commissioners to interfere with schemes of purchase and sale under that first category, except in regard to the matter of the declaration of a property as an estate?—I think that is the only power in their hands for intervention, and I think it is given to them to see that there is no undue intimidation or duress or anything of that kind.

24973. All the law says is that they will not have to look into the question of security, as between landlord and purchaser, because the zones assume that adequate security is forthcoming when the case falls within the zones. But have you any comment or objection to make on the action of the Estates Commissioners in regard to the declaration of properties as estates?—I have.

24974. You explained to us that you objected to the provisional definition of an estate. I am not referring to that. We will come to that in a moment. But in regard to the refusal to declare property an estate have you any comment to make on that? Do you accuse them of or impute to them any malfeasance in regard to refusing to declare property an estate?—I would not use the term malfeasance.

24975. We understand that nothing personal is intended?—Nothing personal is intended. I have the pleasure of knowing both gentlemen.

24976. Nothing like that is imputed?—No. It is not very easy to know, but I think that there are cases in which they seem to have refused, but they may have reasons which may have justified them.

24977. But may I take it that you have not based your criticism on any such cases as that?—On those pages of facts (*indicates document*) which I could read, but I could hardly select one to support such a contention as that. I have nothing else in the way of facts to produce. If you will just leave that now.

24978. In regard to the provisional declaration of estates we had that under discussion too to some extent. You stated to me the landlords considered they were labouring under a serious disadvantage from not having the property definitely declared an estate?—Yes.

24979 Because, for example, when an estate is definitely declared, and it is understood that the sale will go through, and that ultimately the vendor will get the bonus, the moment the certificate or declaration of the property to be an estate is made he may go to his bankers and raise money on it?—Yes.

24980 You said landowners are at a disadvantage there?—Yes.

24981. On the other hand I submitted that there might be advantages to the landlord from such provisional declaration, because there might be instances in which for some legal reasons or for some other reasons it might be desirable to exclude certain lands from the estate before the thing was finally gone through, or it might be desirable for the landlord himself to add certain tracts of land to the estate. I am informed that there are examples of both of these cases. In these cases if the estate had been at the outset declared an estate these things would not have been possible; so either the estate would have to go through with the lands excluded, which it was desired to include, or the declaration of an estate would have to be cancelled. In view of the objection as to the landlords being placed in very great difficulties all I can say on that is that the provisional declaration has been made in the landlords' interest, or if I may put it this way, in what the Estates Commissioners consider the landlords' interests; but I am quite certain that they would be very willing to reconsider any orders or any practice which they have laid down for themselves upon that matter?—That would be very satisfactory. I quite see that there is a point in what you say, but it would only apply to cases where land was included in the estate proposed for sale and afterwards the owner desired to exclude it, because any outside land that he wished to include could still be dealt with by the Commissioners declaring it to be a separate estate by itself.

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24982. That might be, but it would render it necessary to have two separate proceedings?—Yes, but that is not very much.

24983. At all events there are some reasons for it, and in the opinion of the Estates Commissioners these reasons were not negligible?—The landowners would be very gratified if they would reconsider the practice.

24984. In regard to Section 6 cases, that is cases in which the lands are sold direct to the Estates Commissioners the proceedings are similar to those between the purchaser and seller?—They are not quite analogous.

24985. The landlord is not compelled to ask the Estates Commissioners to buy. He goes to the Estates Commissioners and asks them, "are you anxious to buy"?—You mean it is voluntary in its inception?

24986. Yes?—Quite.

24987. Then there is an inspection, and so forth; and a price is offered, and if the landlord does not wish to accept the price he need not?—Yes.

24988. It is a purely voluntary arrangement?—Yes, but the awkward part of it of course is where relations are more or less strained between landlord and tenant as a result of what happens. Say that I apply to the Land Commission to know what they would give me for my estate. They come down and satisfy themselves as to what the tenants will give them, and then they come and make me their offer. Of course if it is a very low offer and I don't like to accept it, the unpleasant part of the thing is that the tenants have got wind of the price the Estates Commissioners put on it, and they may afterwards think it rather cold-blooded to go on at the old rent if I refuse to sell.

24989. How can you avoid a thing like that?—They are under a legal obligation to incur no loss. They can incur a loss of 10 per cent. only in cases of congested estates, and congested estates are very few. The non-congested estates make up the great bulk of what they have to deal with. They are bound before they make an advance of public money to satisfy themselves that the property is security for the advance, and they cannot get the money from any other quarter except the tenants. They get an advance from the State and the tenants have to pay the interest on that; and unless they are sure beforehand that the tenants will agree how are they, as practical men, to make an offer to you?—It is difficult.

24990. It is insuperable in the nature of things. All you can expect is that they should go about their work with as much tact and judgment as possible, and should have every regard for the positions of both landlord and tenants so as to avoid the creation of any hostility between them, and I think from my personal knowledge of how they do these things they do endeavour, not always perhaps successfully, to create a satisfactory spirit?—It is a very difficult task.

24991. It is a difficult task, but the difficulty is inherent in the nature of things?—Yes, but perhaps some more automatic arrangement could be arrived at.

24992. You have suggested to us an automatic arrangement?—Later on.

24993 As regards the Land Judges Court there can be no friction between the landlord and the Estates Commissioners?—I am really not very conversant with what takes place in that court. I have no property in it.

24994. It is a sort of encumbered estates court in which estates are put up for sale, and the Estates Commissioners come in and make an offer, and if the offer is not accepted the estate is put up for sale in the usual way. So there is no cause for friction between landlords and tenants there?—I suppose not.

24995. Really we come down to this, that the only ground for difficulty between the landlord and the Estates Commissioners is with regard to the cases in which there are non-judicial rents, in which the Commissioners have to inspect for security?—I am not aware of that.

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24996. Sir FRANCIS MOWATT.—Mr. Boyd has explained fully and frankly what he considers the fair compensation which the landlord is entitled to claim in cases of compulsory purchase. I do not think I can carry the matter very much further. As soon as purchase is compulsory the only question I think to be considered is the right of the landlord to full compensation?—Over and above the value

24997. Including both. I am coming to that. The question to be considered is the right of the landlord to full compensation; first of all, for loss of income, and, secondly, for what I may call his disturbance. I put it to you as a general principle that so long as he has his full claim satisfied he has no concern and cannot complain if a third person comes in and makes a better thing out of it or a worse thing out of it?—Oh, no.

24998 I understand you to say as representative of the landlords that they claim their full net income and something for the equity of redemption of any mortgage on their estate If those two conditions are fulfilled, then I understand you to say that the landlord's right has been met?—Yes, if he is secured in what I define to be his net income and in all costs and the other things I mentioned, less 10 per cent.

24999 I quite admit that that really means certain deductions of income which cannot be made up to him. The costs of the sale are outside? If the costs of the sale represent 10 per cent. of the value, that means that he would lose 10 per cent. of his income if the settlement is made merely on the rental. What you further say is that what the landlord is entitled to as a matter of compensation is to have fully made up to him the net income he had before, so that he should not lose anything, and the costs of the sale and anything which may be fairly added as representing his equity of redemption for charges on his estate?—I do not make any claim for equity of redemption for I do not agree with the methods by which the price would be calculated in such a case. Drop out that, and the rest is perfectly accurate.

25000. And that being common ground between us, you then proposed to exempt from that compensation sporting and other rights Why do you say that?—It arose from what was said yesterday. Lord Dudley in asking me questions as to the price that estates ought to be sold for prefaced his remarks by saying that some arrangement must be made for valuing extraneous items which were a source of income to the landlord. such as sporting rights and that kind of thing. Therefore I guarded myself in replying on behalf of the landlords by saying they required to be separately dealt with. I give as an illustration an estate I managed up to 1899. There were two sporting rights on that property which brought in to the owner £250 a year each. They affected the holdings of I suppose only thirty tenants in each case. You could not ask those men to add to the price of holdings they were purchasing the capitalisation of £250. Therefore some arrangement would have to be come to whereby the owner would not lose that part of his income, which would be a deterrent to his selling.

25001. That brings us back to where we were, that is to say, these extraneous items of income must be included in the net income of the landlord upon which compensation is to be calculated You would pay a very high price if you did that?—I would not claim so much as that.

25002. I understood that to be your case, that you must compensate the man first for his net income, and, secondly, for any other sources of income not included in my definition?—Yes I would not put sporting rights on the same security as second term rents.

25003. So long as that is done it does not concern the landlord whether the tenant buys his land cheaper or more expensively?—I do not think it concerns him at all.

25004. Therefore the landlord who sees the next estate selling better because there were mortgages upon it, he having no mortgages, has no legitimate complaint?—Not as against the tenant.

25005. Sir ANTONY MACDONNELL.—You say the landlord is entitled to his net income plus the costs of sale?—Yes.

25006. And you place those costs of sale at 10 per cent?—I think so.

25007. We have it on page vii. of the Estates Commissioners' Report that the costs of sale are the negotiating agent's fees and solicitor's fees?—And other things. I will give you details.

25008. We have it on page vii. of the Commissioners' Report. They mention that 5 per cent. includes the allowances of the solicitor and negotiating agent as a usual rule?—I take it even lower than that. I take it also to cover the settling with employees of a minor character to the agent, who likewise would have claims on the owner. If you want to get that kind of thing to run smoothly you have to deal liberally. I take 5 per cent. to cover lawyer's costs, agent's negotiations, and the settling of all employees on the estate.

25009. Very good. What other charges bring it up?—Surveyor's cost of mapping, and anything of that sort is one per cent. You will not get it done under that.

25010. Does not that come under negotiation fees?—Not at all. You have to employ a valuer and surveyor and others to go over the estate and mark in the boundaries on the map before you can lodge it

25011. What are your other items?—These are my items of expenditure—lawyer's costs, 2 per cent.; negotiating fees with agents and settling with employees on the estate, 3 per cent.; surveyor, 1 per cent, loss during the progress of sale and interest on the bonus——

25012 But you are permitted to add two years' arrears?—You see in my proposal I have made no general item of that kind. I only say equitable arrears ought to be met. I do not want to get it twice. Then there is loss during the progress of sale and interest on the bonus, which is practically one year's rent, 4 per cent. Those added up make 10 per cent. I think that is a fair covering of the cost, and it was to cover that that the bonus was given.

25013. The bonus was given to cover that?—Yes, to assist the owner. What I say is this The 4 per cent. is to cover loss during the progress of the sale We have had it stated before the Commission that if the purchase agreement was lodged now the cash would not be forthcoming for five years If that is to be the case this will be entirely an under estimate.

25014. You will get interest?—You only get interest on a portion of the purchase money. You do not get it on the bonus You get it on the tenants' part of the purchase money. Whatever the difference is between that and the full purchase money represented by the bonus you get no interest on, and besides that you have to drop the rent from the last gale day to the date of the signing of the agreement unless you are to be hard on the tenants and say to them you must pay this up before the signing of the agreement. You want things to go pleasantly and smoothly. I arrange with my tenant this March, and the agreement is signed next month, the rent from last November up to that is cancelled by the signing of the agreements. I take those up and lodge them with the Commission. The half-year's interest on the purchase money does not accrue till six months after that, and with great respect to what has been read out of the Report, it may not be collected for probably six months more. All that time the landlords are lying out of the money, and I only ask that when the sale is completed and the money lodged in bank they be recouped for whatever deficiency may be shown to have existed between prior income (which is lost through the State deciding to take certain action), and the income actually received. The bonus allowed is 12 per cent. This is 10 per cent.

25015 Most Rev. Dr. O'DONNELL.—You take second term rents as the basis for arriving at the net income of the owner?—Yes, in the case of tenanted land.

25016. You speak of gross second term rents?—Yes.

25017. Now, I should like to have a clear idea in my mind of what you mean by gross second term rents?—I mean second term rents as fixed by the Sub-Commission Court.

25018 Suppose that for a number of years the full rental had not been collected, what would you consider would be the gross rental?—Second term rents as fixed in Court.

25019. Let us distinguish between two things. You set down as a basis for ascertaining the net income gross second term rents minus ten per cent. or less?—Yes. The terms of the Land Conference.

25020. Now, there are two ways in which you can fancy year after year the landlords' income to be short of the gross second term rents?—Yes.

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25021. There are the rents he does not receive. Would you consider that the rents he does not receive should be deducted?—I think the price ought to be calculated on the gross rental.

25022. And not on the gross receipts?—No, not on the gross received rents.

25023. It has been said of a great many western properties that as a matter of fact the costs of collection and the uncollected rents would be 20 per cent reduction on the gross rent?—I have no hesitation in saying that if you go to the west you would be very much undeceived on that point. I have been through it myself. You will find very important evidence in the west on this point. I understood Mr. Finucane in his evidence to say if there was any unreasonable circumstances connected with rents not having been received (and Sir Antony MacDonnell drew our attention to it this morning) that allowances could be made for any such cases.

25023A. I am not alluding to a case of that kind. I am rather alluding to the following. Suppose on certain estates a condition of things prevailed under which year by year the uncollected rents and costs of collection made a deduction of about 15 per cent. on the gross rents, what would you consider to be the net income in that case?—Do you mean a case where the landlord has been in the habit himself of voluntarily giving so much in the shape of abatement, say 3s. in the £1, or something of that kind?

25024. That is not it exactly?—If I knew the case to which you refer I could give it.

25025. I will take an estate on which as a permanent condition of things the owner gets year by year gross second term rents minus 15 per cent.—the 15 per cent. deduction covering cost of collection and rents that did not come to him for one cause or another?—Are they causes extraneous to himself that ought not to be in operation?

25026. That would result from poverty of his tenants, from the seasons, or other causes. To put it quite clearly to you, it is said, and I think with a good deal of justice, that on good lands a larger percentage of rent is collected than on bad lands?—Yes.

25027. Take the bad lands, and suppose that on the bad lands the cost of collection and uncollected rent as a sort of permanent thing pull down the gross rent received from year to year to 15 per cent. under the book rental. In those circumstances what would you consider to be the net rent?—If those circumstances exist, which I have grave doubts about—you understand what I mean, and I think they do not exist to any large extent—but if those circumstances do exist I think they would have to be treated as exceptional cases to the general rule I have laid down. But, of course, you know that the circumstances of landlord and tenant in Ireland are so diverse that it is perfectly impossible to apply any general principle.

25028. I was only anxious to get a clear idea in my own mind, in a hypothetical case of that kind, what you considered would be the net income of the owner?—I think each case would have to be taken on the actual circumstances arising, and I believe you will find this; you will not find any landlord, circumstanced as you describe, that would be at all unreasonable as to what he would ask in regard to the price of his estate.

25029. You are giving information which I desire to have in order to clear my mind. You would go into particular cases to ascertain such instances as are outside the rule?—If it was proved actually necessary to do so.

25030. The actual income of an owner in a particular case?—It might be necessary to do that.

25031. Now, we had before us a stockbroker from the Bank of England, and he told us that money might be invested in large sums in trustee securities at 3½ per cent.?—Yes.

25032. Probably that has something to do with the suggestion that in fixing the future income of the owners such a sum should be given them as would bring them their net income at 3½ per cent.?—No, I had not seen it until Lord Dudley drew my attention to it, and I was very glad to see that view supported by such an authority. My own view, which I urged the Landowners' Convention to adopt, was to stand on the terms of the Land Conference, and ask for 3 or 3½ per cent. The majority of the landlords present said they did not think it would be reasonable, and although the Conference terms laid that down, they would be content with 3½ per cent.

25033. They would be content with a rate of interest that gave them their income?—Yes, at 3½ per cent.

25034. Now, bearing on that, I wonder what proportion of the land that is being sold would be settled land?—I have not an idea.

25035. I have not myself. There is a good deal of it however that is not settled land?—I am afraid a good deal of the land is tied up in marriage settlements.

25036. Take the land that is not settled. The owner in investing the proceeds of sale is not tied to trustee securities?—The absolute owner is not.

25037. Would there be any necessity in cases of that kind to contemplate as a fixed thing the limit of 3½ per cent.?—I am afraid to give him as good a security as he had in the land, I think it would.

25038. The reason I ask you that is because this gentleman who was so full of knowledge on the money market told us that a man now investing in ordinary railway stock in this country could calculate on receiving 4½ per cent.—in United Kingdom railway stock?—I wish he would give me the information where. I would be very glad to know. I have a little money and I would rather like to get it into that. I am afraid that is a mistake.

25039. It is not necessary for my argument that it should be absolutely correct, but I have a very distinct recollection of his answering me that by investing in ordinary railway stocks in Great Britain one could get 4½ per cent.?—Let that stand over and be decided by the minutes.

25040. Sir Antony MacDonnell.—Mr. Waldron, M.P., certainly said you could get 4½ per cent. on certain railway stock?—There is a difficulty unless one is very critical to know what is meant in these matters. For instance, you may take debentures in a certain railway, and you may be getting 4 or 4½ per cent. guaranteed on that. But what price do you pay to go in on that. If they are standing at a premium down goes your interest, there is the whole secret. If you get them at par that is all right.

25041. Chairman.—I have a very distinct recollection that the stockbroker to the Bank of England divided his securities into three classes. The first class comprised Consols, and things of that sort, and he told us that for that you could get from 3 to 3½ per cent. Then he had another class—Cardiff Stock and Manchester Corporation Stock. He told us for these things, which were excellent security, you could get 3½ per cent. Then he told us there was a further class, namely, securities approved of by the Public Trustee mentioned in the 51st Section of the Land Act, and for these you could get 4 per cent. Then, of course, there were other things that you might get more on, but which he declared were insecure investments.

25042. Most Rev. Dr. O'Donnell.—The securities that you have given are all securities that are permitted under the Land Act of 1903 for the purpose of investment by the trustees of settled lands, subject to the sanction of the Public Trustee. I am dealing with the proceeds of land that is not settled, and it is with reference to that that I asked the question. I asked the question, what interest might be got by a prudent investor who is investing money. What could he receive now from the money he invests. My recollection is that it is 4½ per cent. But as I say it is not essential to the point I wish to discuss with you. But suppose we postulate good security would you not consider that an owner would be fairly done for who would get as much money as, provided it was prudently invested, would give him his net income?—At what rate of interest?

25043. Say 4 per cent.?—I would hardly consider it safe. My reason for saying that is this. I am a member of the Representative Body of the Church of Ireland and we have a good deal of financial dealings and large capital to invest, three millions of which is on mortgage on Irish land, which bears a fairly high interest compared with what you are stating just now. Counting in that interest with what we can derive from other investments, going to America for some of them, we can barely touch 4 per cent. with the lot.

25044. Are you bound to trustee securities?—Oh, yes; I do not know that there is absolutely anything

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in the Act that would prevent us, but we always act on that principle.

25045. I am considering the investments of an owner who merely means to be prudent in his investments. I do not think I need push you any further?—You must remember that I am only an amateur on these things. I am not an authority.

25046. It just seemed a little strange to me that for owners having absolute control of their funds the 3½ per cent. would be the demand as in the case of trustees. That is, the interest at which you require money to produce an income for settled estates. It would seem at first sight that the same rate of interest should be insisted on in the case of owners who are investing the proceeds of estates that are not settled?—I can hardly see that. Surely one ought to have his capital as well secured as the other. One has to have his income secured by law. Why should not the other have his income equally secured?

25047. It would not be exactly an ordinary question of security. It would be a question of being tied down to a definite class of security. It illustrates my point sufficiently. I think that you have told us that a body to which you belong, and who, of course, are prudent investors, do try to get 4 per cent.?—Yes, but that is including mortgages on land, some of it up to 4 and some of it 5 per cent.

25048. I go on to the next point I have to ask you. My other questions are very brief. In your printed evidence you allude to the Bright purchasers, and what their judgment was in the value of the land and its security?—Yes.

25049. Is it not a fact that these gentlemen have proved rather unequal to bearing the burdens they undertook? Haven't they sought relief?—Oh, that would be no proof. The mere seeking of relief would not prove that. Why shouldn't they? I mean if there is any relief going why not look for it.

25050. Didn't they ask for it before it was going?—I do not know

25051. Whether they did or not. I heard complaints that these gentlemen were quite unequal to meeting their instalments?—Very few admit they are equal to meet any instalments—I mean when it comes to looking for better terms.

25025. At all events, I think it is pretty well known that these gentlemen think they are very badly in need of relief from the terms on which they themselves have contracted?—It may be so. I do not know personally They bought much higher.

25053. I do not want to revive the discussion which we had about what the Act of 1903 was intended to do, but just to explain the words used. What exactly did you mean when you said in answer to Sir Antony MacDonnell that the Act contemplated 25 years' purchase plus the bonus. Is that exactly so?—I think so. It may not be a happy expression to say that a Statute contemplates anything, but what I meant was this, that when one examines the financial portions of the Statute one sees the money provided for the sale of real property, the rental of which we know, and that it also provides for what is known as the zones in the first section, and in order to bring cases within the zones you will find that it is necessary to take the bonus into account as well as the advance made to the tenants on which the tenants pay interest. That is really what I mean. I am willing to alter these words if they do not fit that meaning, to anything else you like.

25054. It was not the Conference arrangement you had in your mind?—It was the Act itself

25055. It would not be inconsistent with the Act if purchase went on at a lower rate than that?—Outside the zones?

25056. Inside or outside the zones?—Oh, there is a provision in the Act for going on at a lower rate voluntarily.

25057. That is what I want I have only to ask you now to adjust something like an issue that arose between you and me with reference to a certain table. In round figures I undertook to give the amount of money issued for the purchase and sale of land prior to 1903, and you wished to add a qualification?—Yes.

25058. I have here a paper* which contains the amounts issued, the loans sanctioned, the loans applied for, and the number of loans?—Does it contain the number of applications in the originating statement, because that is the point.

25059. I will tell you what it contains—the number of loans applied for, and in five tables corresponding with five different Acts. I took the trouble of putting the figures together, and as you were anxious particularly to have the loans applied for brought in evidence I will tell you what my figures come to. If you have any remarks to make on them then will be your time. In the year 1900 Land Stock had scarcely begun to depreciate, and the number of applications was almost the maximum I find under all the Acts—6,912.

Sir Francis Mowatt.—Applications?

25060. Most Rev. Dr. O'Donnell.—Yes, applications for loans. The money corresponded in amount pretty closely according as the numbers rose or fell. In 1901 owing to the Boer War, Land Stock had considerably depreciated, and there was word of new legislation, and the number of applications is 6,160. In 1902 Land Stock is still further depreciated, and Mr Wyndham is on the eve of introducing his Bill, and the number of applications is 5,151. I cannot absolutely guarantee these figures, but they are as correct as a hurried examination would permit of four or five tables together. In other words, so far as I can see between 1900 and 1903 the number of applications went down by 25 per cent. roughly, and the money by about a corresponding amount?—What were the figures for 1903?

25061. I did not bring it down to 1903; only to 1902.

Sir John Colomb.—Your figures were for the year ending 31st March, 1902.

25062. Most Rev. Dr. O'Donnell.—Yes, the next year is not completed. The Land Act was on. I was inclined on these figures to attribute the decrease in the number of applications for loans to the intimation of coming legislation, and the introduction of Mr. Wyndham's 1902 Bill on the one hand, and the depreciation of land stock on the other?—I suppose both may have had some effect, but Mr Wyndham in his quotation, to which I have referred, begins in 1899. The top years are 1898, 1899, and 1900, Land Stock being at a high premium in those years. I would like to read also by way of reply what Mr. Wyndham said in the course of a speech on the 25th March, 1902. He said:—"In 1899 advances were made of £1,900,000; in 1900 of £1,800,000, and last year, 1901, of £1,280,000. But those figures do not give the whole extent of the diminution. The first step, which we call the originating statement does not and cannot mature for one or two years, and if you wish to get at the exact proportion of these diminutions you must look to the originating statements. Take the last four years. The numbers of tenants applying for advances are 8,000, 6,000, 5,000 and 3,000. What are the reasons for that decrease. I believe that we have got—at all events that we are getting to the end of the landlords who are prepared to sell for a capital sum which can be advanced under the existing law. Those who have sold belong chiefly to three classes; either they are landlords who have other sources of income or other interests in England, or they are landlords who were tempted to sell by the premium in Land Stock during the period 1897 to 1899 inclusive, or in the third case they are landlords who have been forced to sell because they were embarrassed and their creditors urged them to take this course. The remainder were prevented from selling because they cannot afford to do it."

25063. A very ingenious statement by a clever and eminent statesman. But, Mr. Boyd, I cannot exactly reconcile the figures with the ones I have here?—What he means by that is that the figures that were given in those tables represent not only the amount actually advanced on sales in that one year, but on the sales that had matured in that year, the originating statement having been made a couple of years before. I think that is what he means.

Most Rev. Dr. O'Donnell.—But it is necessary to go into the five tables in order to come to an accurate conclusion about the whole matter.

25065 Mr Kavanagh.—I want to draw your attention to an answer you gave to Mr. Conor O'Kelly. You said in answer to him that the net income would not be accepted by landlords as a fair price for the sale of their properties?—I am very glad you drew my attention to that. I did, and it will be in

* See Parliamentary Paper No. 90 of 1903.

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your memory that at that time I asked Lord Dudley was it the time to go into the further question, and we adjourned it. There is a great deal in that question besides what Mr. Conor O'Kelly put to me. He put to me, did I think that would be a fair price. My opinion still is that though the landlords will be satisfied with what I have indicated, still they are not getting the full value of their properties. That is my meaning in reply to Mr. Conor O'Kelly.

25066. Mr. Conor O'Kelly asked you whether the net income would be accepted as a fair price for the sale of their properties?—If you refer to the shorthand notes you will find that the form the question was put in was like this—"Do you think it."

25067. In your opinion would landlords accept the net income as a fair price?—The statement I made to Sir Antony MacDonnell—I believe they will accept that, but that is not exactly what Mr. Conor O'Kelly put to me. That is not the form. I believe what I said to Sir Antony is what they would accept.

25068. You believe as a body they would accept the net income as a fair price?—The net income as qualified by the proposal we discussed this morning.

25069. You were talking in answer to the Bishop about rents that were not collected, and it was suggested that such should be taken into consideration in arriving at the net income of the landlord Are not bad debts included in the 10 per cent. reduction as "cost of collection"?—The bad debts are mentioned by the Estates Commissioners where they allude to net income, that it should cover "the cost of collection, management, and bad debts." But I do not think bad debts were mentioned by the Land Conference. Of course the bad debts must go in any case. Landlords are not asking for anything for bad debts.

25070. But you do not think it would be fair to deduct such bad debts in considering the net income of the landlord?—I do not understand that If you mean this——

25071. His lordship suggested that supposing on a certain property of £1,000 rental that only £800 was collected yearly, you ought to take off the £200 and consider the net income of the landlord at £800, less cost of collection and so forth. I suggest to you that those bad debts on every property are included in the 10 per cent. deduction which is allowed for cost of collection?—I cannot agree in that The position I have taken up here equally protects the landlord in regard to rents that have not been actually received, where gross second term rents standing on the face of the rental as such, where the failure to collect them was not due to such circumstances as Dr. O'Donnell referred to, but to others such as intimidation and things of that kind, which would be exceptional circumstances—I understand Dr. O'Donnell to refer to cases in the West where it might appear that 15 per cent. abatement was given, and where the rents were being paid short of that owing to the poverty of the district. Was not that so?

25072 Most Rev. Dr. O'Donnell.—It was rather this, that the landlord, year by year, did his best to collect rents, and that the uncollected rents, and the costs, together pulled down the rental in the book by 15 per cent.?—I have something to say on that subject, and it is well to say it now, because it would have to come later. It is a most important point. A table has been handed in to you and appears on your records. It was handed in in Donegal by Monsignor M'Glynn, and deals with certain property in Townawilly, in Donegal. The income from that property was received and applied to education by a Joint Board in the county. The return made by Monsignor M'Glynn, and the evidence which he gave before your Commission went to this, that there was more income now derived from the sale of the estate at 14½ years' purchase than was derived on an average of the three preceding years from the collection of rent.*. I don't question Monsignor M'Glynn's figures in the least I am sure they are correct, but I want to say this that in considering that evidence you must bear in mind that the circumstances of that property were absolutely exceptional, and must not be taken to be a general rule, and this may also apply for all I know to cases that you will come across in the West. I don't know The position of things was this. The rental was £460 odd. The plan of campaign was started on the estate. There was a strike against rents and there was great difficulty in collecting them. For some years this was going on and things were very bad Ejectment decrees were taken out, and there was a great deal of trouble over it The sheriff and police failed to take up possession of the holdings, and at last, I suppose, the Government interfered. The result was that the Castle authorities sent down a troop of cavalry and a battering ram. It was exhibited in the market place at Donegal on two successive market days; and all this seemed to strike the fear of God into the hearts of the tenantry, and they began to pay their rents a little; and then owing to the unfortunate condition of things, which were very bad, a sale was made, and the Board sold the estate at 14½ years, sooner than continue that condition of things; and all the point I make on it is this, that they must be treated as exceptional cases, and I ask you not to consider that any landlord selling at 14½ years will be deriving a larger income than he does at present from his rent.

25073 Most Rev. Dr. O'Donnell —I rather contemplated a different set of circumstances in which, from the poverty of the district, there will be a shortage?—In parts of the West I would not be at all surprised if there is, and if there is, I think, such cases will probably have to be treated as exceptional circumstances in some way.

25074. Mr. Kavanagh.—In the list which you gave Sir Antony of the expenses of sale you omitted the cost of investment?—I have nothing down against that, but if a man gets a capital sum he may at least pay the cost of investment.

25075. The cost of investment is 1 per cent.?—If he gets a capital sum he may pay the cost of investment himself. I don't think it would be unreasonable to ask him after he gets the money to undertake the cost of investment.

25076. Sir Antony MacDonnell —In further elaboration of what his lordship the Bishop asked you, when did land stock begin to appreciate?—I am afraid I could hardly give you that without looking it up. I know it was high in 1897.

Most Rev. Dr. O'Donnell.—The highest point was 98⅞ in 1894, 110 in 1896, and 113½ in 1897.

25077. Sir Antony MacDonnell.—It was 110 in 1896. At that time what was the number of applications for advances when land stock began to appreciate?—I have no information, except the information that Mr. Wyndham gave in his speech, which is reported in Hansard.

25078. In the statement by Mr. Wyndham from which you read a number of contributory causes was given. Would you think it would be correct to say that the real and effective reason for the falling off in applications was the fall in land stock, which affected the landlords, and the rumours of intended legislation, which affected the tenants?—I think certainly the fall in land stock affected the landlords and caused the gap which Mr. Wyndham aimed at bridging over with the bonus. The land stock stood as high one time as £113 for £100. You have evidence before you that in the case of the Dillon estate the Congested Districts Board made £13,000 by the sale of the stock, which shows what a very valuable thing it was.

25079. It would be desirable for us to know at what rate sales were proceeding before land stock began to appreciate, before it got perceptibly above par, because then we could begin to form an idea of the way sale and purchase were proceeding irrespective of appreciation?—I could try to obtain that for you, but I have no means of ascertaining it on the spot.†

25080. The owners got into the habit for a few years of getting practically what was 10 or 12 per cent as a bonus?—Twelve per cent.

25081. In the shape of appreciated land stock?—For a very short time it stood as high as that.

25082. It stood so high as this for about three or four years?—I don't think so.

25083. You had it 110 in 1896?—It was only for a short time as high as 114.

25084. Most Rev. Dr. O'Donnell.—It reached 110 in 1896, 113½ in 1897, 114½ in 1898, 112 in 1899, 111 in 1900, and then it tumbled down to 102; so for five years the top price was above 110?—Yes.

* Monsignor M'Glynn has written to point out that he did not make the comparison stated above He compared the income derived from the estate for seven years before the sale with the income for seven years after the sale He took the period of seven years before and seven years after in order that the comparison might not be falsified by the peculiar circumstances of any one year. See Appendix to the Second Report [Cd. 3319], questions 10404–7.—*Secretary*

† *Note by Secretary.*—Parliamentary Paper No. 90 of 1903, gives the information required.

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25085. Sir ANTONY MACDONNELL.—During these years the landlord got what what was practically a bonus?—Yes.

25086. When land stock began to fall off again landlords practically said to themselves, "We won't sell unless we get what we have been in the habit of getting for the last five years"?—I don't think they were getting more than they had previously.

25087. They were indeed?—I will tell you why. The earlier sales were based on first term rents. The others were based on second term rents. It makes a great difference, the reduction of 20 per cent. in the rents. If you are losing 20 per cent. on your basis of purchase even 13 or 14 per cent. on the stock won't make it up.

25088. If you negotiate a sale on the basis of first term rents no doubt the rent will be higher, but the number of years' purchase will be lower. You have that embodied in the scale in the Act?—17 or 18 years' purchase of first term rents might be a higher price than 20 years on second term rents.

25089. All I wanted to point out was that in Mr. Wyndham's statement of causes, the efficient causes were only two—the depreciation of Land Stock, which deterred landlords from selling, and the intimation that legislation in the interests of the tenants was impending, which deterred tenants from making applications?—And the drying up of insolvent landlords, who were squeezed out.

25090. That is an inference?—He states so.

25091. I quite admit that, but I want to see what is the basis of fact for his statement?—There was plenty.

25092. I am endeavouring to find out with your assistance?—The Land Judges Court would tell a good deal.

25093. I have got two causes—depreciation of Land Stock and the rumours of impending legislation. We have got no tangible ground for saying that there was any other chief cause, we have got nothing substantial to point to any other cause. I ask you to assist me?—I don't suppose Mr. Wyndham would have made that statement if he was not convinced it was correct.

25094. No one fancies that Mr. Wyndham did not believe everything he said. I want to get the basis of his belief?—As a matter of fact, there were a lot of owners squeezed out.

25095. Can you give us details on that point?—Who can, about another man's financial affairs, or who would if he could?

25096. We have heard over and over again statements made that the sales under former Land Acts ceased because the properties which were saleable then had been exhausted; that all these landlords who were indebted had sold to their tenants, and those landlords who were not indebted did not sell. Yet we have it in evidence that a great number of landlords sold who were not indebted. Some of the largest landowners in Ireland sold out under former Acts, which is *pro tanto* going against the argument that only landlords who were indebted sold out?—The argument is not that only indebted landlords sold out. That was only one class Mr. Wyndham spoke of. He also spoke of landlords of independent means who are the ones that you refer to.

25097. It is a very plausible and possible thing to say that because sales came to an end or decreased that the reason that they came to an end was that the properties saleable under the then conditions had been exhausted. But I point to the fact that there is no evidence before us substantiating the statement while I also point to the fact that there are two efficient causes which do operate, and which are in themselves sufficient to explain the diminution of sales at that time?—I admit that those causes operated, and remember the statement put forward by me in regard to insolvent owners having been sold out arose incidentally in a discussion between you and me as to the authenticity of my evidence. But I can give you this evidence, and anyone who knows Ireland and goes through it can give you more, that on one day's drive in the County Cavan I passed fourteen houses in demesnes that were closed up with no one living in them, as the result of men having had to go out of them.

25098. Have you any information to show that any one of these fourteen gentlemen were indebted or compelled to sell?—I am not going into propositions of that kind. It is not my duty.

25099. What is the use of your illustration?—I will not enter into such matters about Irish landowners. I think they are quite hard enough pushed as it is.

25100. I won't push it any further?—I think you are right.

25101. I only want to make clear the statement by Mr. Wyndham as to the causes why land purchase had fallen off before the introduction of the Act of 1903; there are before us only two efficient causes, and the other causes which have been enumerated may exist, but no evidence in support of them has been placed before this Commission?—I am quite satisfied to take Mr. Wyndham's statement. I am quite satisfied that he did not make the statement in the House of Commons without being satisfied that the facts were as stated.

25102. Mr. O'KELLY.—Have you heard that in 1901-02 schemes for the sale or purchase of properties were going on in many parts of the country and landlords dropped off these negotiations when it was stated that we were going to have land legislation in 1902, which would offer greater advantages than the old Acts?—I do not myself know of any such case.

25103. Don't you think it only natural that the number of applications in 1902 would fall in view of the fact that Mr. Wyndham, in a speech made in the North of England, in the autumn of that year, promised that he was about to introduce a more comprehensive scheme of land purchase in 1903 than the Bill of 1902, and that all sorts of rumours about bonuses were in the air?—I think it would be most natural, but you will remember that Mr. Wyndham did not base his argument on anything that happened in the year 1902. He did not come down lower than 1901, when these rumours were not so current.

25104. Are there no embarrassed landlords in Ireland now?—I am sure there are, I am sorry to say. We all say now that D.L. in Ireland stands for "distressed landlord."

25105. Sir JOHN COLOMB.—In discussing with his lordship the Bishop the question of investment and the rate of interest to be obtained, you spoke of your experience as a member of the Church Representative Body of the Church of Ireland in dealing with very large sums of money?—Yes.

25106. And to enforce your argument, as I understood you, you said you found it very hard indeed to approach 4 per cent.?—Yes.

25107. And you stated, I think, that your investments were largely, at all events a substantial portion of them, investments on mortgages on land in Ireland?—Three millions in mortgages.

25108. In Ireland?—Most of it in Ireland, but not all.

25109. I ask you this: does not the fact of your having such a large amount invested in mortgages in Ireland enable you to bring up the investments on the whole to something approaching 4 per cent.?—Certainly.

25110. You have been able to approach 4 per cent. because these mortgages bear a higher rate of interest than any safe investment that you can now get?—Certainly. We look forward to losing £30,000 a year through being paid off these mortgages.

25111. Therefore, taking the question of compulsory purchase, which is to, at all events, reduce opportunities for mortgage on land in Ireland, it must reduce selling—landlords' prospects with regard to averaging a rate of interest nearly approaching 4 per cent.?—Yes.

25112. The whole part of your paper which has been under discussion for two days deals exclusively, does it not, with tenanted land?—It does.

25113. Therefore, are we to take your expression of opinion, and especially with regard to net income, as applying only to tenanted estates?—Yes.

25114. Are we not to take your expression of opinion as to the net income being a fair basis for sale as excluding property where there is a great deal of untenanted as well as tenanted land?—Yes. The question of the price of untenanted land comes further down.

25115. All you have been saying yesterday and to-day is dealing with tenanted estates, and tenanted estates only?—Yes.

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25116. With regard to the cost of sale and the figures which you gave, these figures would only operate under a system of voluntary purchase? You don't say what they might be if it was compulsory purchase that we were proceeding under?—No, I refer to voluntary sale.

25117. Therefore all you claim now is that certain several items should be allowed, and that when the whole transaction is finished and the money paid the landlord should have cash paid over to him, which if invested at 3½ per cent. would bring him in his net income from tenanted lands over an average of years before compulsory purchase was applied to him?—That would be satisfactory.

25118. It was mentioned that outside the question of net income from tenanted land there were other interests and considerations involved in the allowance to be made to a landlord. Among these were mentioned sporting rights?—Yes.

25119. To illustrate that you gave particulars of a property with only 30 tenants on it. Sporting rights came to nearly £500 a year?—The property is very much larger than that, but the area inside where the sporting rights exist would not affect more than 30 holdings in each case.

25120. At all events, you there gave to the Commission a concrete fact of sporting rights which are let?—Yes.

25121. I don't understand whether you said that the £500 for the letting of these sporting rights would be included in the estate rental.

Chairman.—Mr. Boyd stated yesterday that where sporting rights existed even when in the landlord's hands and not put into the rental of the estate they should be taken into consideration.

Sir John Colomb.—Can you suggest to the Commission any basis or form of procedure to settle what the landlord ought to receive for sporting rights from which he derives no rental, but the enjoyment of which was his?—I am afraid that a matter of that kind must be left to an authority to investigate and decide. It is impossible to lay down any rule that would be equally fair all round.

25124. Chairman.—We agree that no matter how automatic might be the arrangement, so far as a letting based upon the rental is concerned, it is almost impossible to conceive a system so automatic that would be able to get on without some kind of a proper tribunal to take into consideration sporting rights and other amenities and matters of value that you have referred to in connection with the estate?—I think so.

25125. You would at once have to have some sort of a tribunal?—Yes; and most probably you would require an appeal from it.

25126. Some sort of tribunal which would decide the extent of the landlord's interest?—Yes.

25127. You said we would have to deal with these things on the actual cases arising?—Yes.

25128. The only way in which you can decide actual cases arising is to have some kind of a body that would arbitrate?—Yes.

25129. I want to refer for a minute to this estimate of Mr. Wyndham, in his speech in the House of Commons, as to the size of the money problem, to show that it is hardly any guide to us now?—I did not put it forward.

25130. You put it forward as being an indication of the sort of price at which the landlords were likely to be bought out. You quoted 25 years' purchase, and based that on the fact that Mr. Wyndham said that £4,000,000 was the annual rental, and £100,000,000 was the size of the land problem. You arrived at it in that way?—Yes.

25131. I want to give you some figures, not in any way to discredit yours, but just to show, as a matter of fact, that all these estimates are valueless. The total number of landholders in Ireland is 490,000?—Is that tenants?

25132. Everybody who holds land. That includes the landlords too?—And tenants who have already purchased.

25133. The number of purchasers up to 1903 under previous Acts was 80,000. That leaves a balance of 410,000, which was the extent of the problem Mr. Wyndham had to deal with. Since the passage of the Act of 1903 135,000 holders have applied, and their applications involve a capital sum of £46,000,000. Double these figures, and you get 270,000 holdings, at £92,000,000. Therefore, practically, Mr. Wyndham's sum of £100,000,000 is expended by 270,000 applicants. You see that?—Yes.

25134. If you take 270,000 from 410,000, the number of holders at the date of the passing of the Land Act of 1903, you get a balance of 140,000, and these 140,000 would at the rate hitherto prevailing practically involve an additional £50,000,000. But we have already accounted for £92,000,000, so that we have got, towards meeting the £50,000,000 required, only £8,000,000 left of Mr. Wyndham's original £100,000,000?—Yes.

25135. That would leave £42,000,000 still required?—Yes.

25136. That 140,000 holders include landlords as well as big tenants and others, who would not come under the Land Act at all, so if you knock off £10,000,000 as the value of these landlords' demesnes and big holdings that would not come in—you get, roughly, in that way about £32,000,000 that would be required?—How do you get the £10,000,000?

25137. You have got to make some allowance for the landlords and others who are included in the 140,000, and who do not come under the Land Act. I have not the faintest notion of how much they would account for, but I take it at £10,000,000?—It would be better to take the number of landlords, and so on, from the total of the 140,000 landholders still remaining, and get at it in that way.

25138. Sir Francis Mowatt.—Can you get the number of landlords and big tenants?—Yes; according to the different sizes of the farms.

25139. Chairman.—We have it, roughly, that you would want about £42,000,000 more than Mr. Wyndham allowed to deal with these 140,000 people, but these 140,000 include the landlords and big tenants?—Yes, but there is this to be said about it. I don't know to what extent, until I look into it, it vitiates the argument. Many large estates have been sold, like the Duke of Leinster's, at a high price, and a lot of money has gone in that way. You will, no doubt, find at the other end of the scale other estates which will not go at those high prices.

25140. There are low prices and high prices. I am only assuming that land purchase in Ireland in the future will be conducted on the same average?—I am afraid that the good estates have gone first.

25141. A good many poor estates have gone too?—They have. Can you give me the reference?

25142. Chairman.—Page xxiii. of the Estates Commissioners Report, chapter viii. You will see, up to the 31st of March, 1906, there were 97,245 purchasers, involving in amount £35,275,831. Since then I am informed by the Estates Commissioners that 38,000 applications have been made, involving £11,000,000. So you have only to add these together to get an estimate to date. All I want to try to show now is that apparently, £30,000,000 or £40,000,000 more than Mr. Wyndham estimated as necessary will be required for land purchase in Ireland. If that is so, then it seems to me that the basis of your argument as regards 25 years' purchase falls to the ground; because if you take £4,000,000 as the rental of Ireland, and say that £150,000,000 is the ultimate amount that is required to deal with it, that gives you instead of 25 years' purchase, which you say was contemplated, 37½ years' purchase, which is a perfectly ridiculous figure.

25143. Mr. O'Kelly.—Was the rental of Ireland ever officially ascertained?—I don't think it is official. It is not as it is in England the basis of rating.

Chairman.—The whole thing was estimated at £4,000,000. It was an estimate. It was as near as Mr. Wyndham could get.

25145. Mr. O'Kelly.—I would just like to know how that £4,000,000 was arrived at. I have heard complaints over and over again that no attempt was made by the Irish Government to find out what the exact rental of Ireland was, and that the difficulties in the way were not so insuperable as some people fancy?—You understand, I am sure, that the £4,000,000 a year mentioned by Mr. Wyndham is not a rental of £4,000,000, but is the capital sum which would purchase out a certain rental, a part of the £100,000,000 provided.

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25146. Mr. O'Kelly.—I know that the £100,000,000 is based on an assumed rental of £4,000,000. I want to know how that £4,000,000 was arrived at, or who arrived at it?

25147. Chairman.—I want to clear up once more the question of the net income You told Sir Francis, and, I think, Sir John, that the landlords would be willing to accept their net income. Of course, I understand that your view of what is net income is not, perhaps, quite the view that Sir Francis had in his mind; at least you deny that it is possible to arrive at what is net income by first deducting charges So when you say the landlords would be willing to accept their net income I think it is only right to make clear that you don't mean by net income the sum that the landlord has enjoyed as interest when charges are deducted?—No, I do not mean that

25148. What you have in your mind is gross income and certain deduction for agency and expenses?—That is it; the terms of the Land Conference.

25149. And when you say that there should be a capitalisation of second term rents what, as a matter of fact, you mean now is that there should be a capitalisation of the gross rental as shown by the books with certain deductions made?—The capitalisation of a sum that will yield the net income.

25150. Of a sum which is equivalent to the gross income derivable from rent?—Yes, less 10 per cent.

25151. Let me point out that that is not quite the same thing as the capitalisation of the second term rents, because is it not the fact that by no means all, or even the great majority of holdings in Ireland are now upon a basis of second term rents?—I mean second term rents or their equivalents.

25152. You have to grade down first term rents by about 20 per cent.?—Yes, whatever the proportion would be.

25153. So that upon a property where there was a large proportion of first term rents existing it would not be fair for the landlord to claim a capitalisation which would give him 90 per cent. of the rental as shown upon his books?—Certainly not, if the rental included rents at the original rate. All first term rents and everything should be graded to second term.

25154. You are probably aware that out of 360,135 cases in which judicial rents were fixed in Ireland only 120,515 are second term rents, so that you get only about one-third the number of judicial rents second term rents?—Of course that might also mean this, that some men did not go in in time to get first term rents fixed until after the Act of 1896. In such cases the rents would be equivalent to second term rents. Under the Act of 1903 any rent fixed subsequently to August, 1896, is an equivalent to a second term rent. With that exception I think it is quite right.

25155. Mr. O'Kelly.—As to grading down first term rents to second term rents in order to furnish a basis of sale, did the Land Conference recommend that?—I think they based their advice on second term rents.

25156. Is there anything in the Land Conference report to suggest that first term rents should be graded down to second term rents?—I am not sure. The terms of the Land Conference were not carried out The tenants did not get the decadal reductions and the evicted tenants question was not settled.

The Commission adjourned.

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FIFTY-FIFTH PUBLIC SITTING.

THURSDAY, MARCH 21ST, 1907,

AT 11.0 O'CLOCK, A.M.

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (in the Chair); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

Mr. W. H. BOYD further examined.

Mar. 21, 1907.

Mr. W. H. Boyd.

25157. CHAIRMAN.—Now I do not think we need ask you any more questions about untenanted land?—Before you pass on might I say one or two words here—because I had not any opportunity yesterday evening—about the question of uneconomic holdings, and this is the place where that would come in. And I would also like to refer to a matter that you questioned me closely about yesterday, the price of encumbered estates, because I feel that it is a very serious matter. And what I wanted to say about it was that on the true definition of net income, if it means the deduction of the interest on charges from the gross income before the basis is arrived at on which the purchase money is to be calculated, it will be a very, very serious injury, in my opinion, to the owner; and, speaking with great deference—I apologise when I am speaking—I would say that I think it is unsound in principle and would be unjust in practice. And if you will allow me, I will use one illustration that I think is exactly on all fours with the case in point. There are two men, each of whom owns a valuable chronometer, which cost £100. One is a man who is very glad to keep his watch in his pocket. The other man is hard up, and he takes his to the pawnbroker, and pledges it for £50, and gets a pawn-ticket. Now that latter man is in the position of the encumbered owner. He has acquired with the ticket the right of redemption, and he has bought it as a valuable asset, he has an equity of redemption on it. He has two valuable assets. One is the watch in pledge, the other is the ticket by which he can redeem it. Now, if we can suppose such a thing as Government making a law that all men's watches must be sold. The man who has his watch in his pocket gets the full value of it; the other does not, and loses his right to redeem it at some future time. I think that is an illustration exactly on all-fours, and I do not want to argue it or to press it, but just submit it to you. Shall I go on to uneconomic holdings? In regard to uneconomic holdings, I know a good many of them very well, and I think there is a great deal of reason and commonsense in what has been put forward about their not being in a sense agricultural holdings. But the dilemma was this: if they were not agricultural holdings they were residences, and excluded from the Act. So they were treated, rightly or wrongly, as agricultural holdings. But this has to be borne in mind. The origin of most of those holdings was this. A strip of land, very often running up a mountain, was given to a tenant, and a little bit of turf, and he built a small cabin on it, and that was his holding. Very likely he found it impossible to support his family on the place, and he was forced to adopt other means for securing an income—migration among other things. But what I would point attention to is this—that a holding such as that kind is valuable to the man. It is his home. And, after all, taking the rent at from £2 10s. to £7 10s. a year for an uneconomic holding, that comes to 1s. to 3s. a week, and where will a man in a town get a room for his family under that, without the enjoyment of the fresh air and the fuel that almost invariably goes with such a holding as that? In fact, there are many, very many, uneconomic holdings now being established throughout the country in those labourers' cottages at 1s. a week. Of course, the land is better, but the amenities are not so great. So that, in considering the case of uneconomic holdings, all that has to be borne in mind.

25158. You are referring to labourers' cottages in the country?—Yes, labourers' cottages in the country.

25159. Why do the amenities vary? They have not got turf, and they have not got an extra place to run cattle on or small stock, or anything of that kind I do not want to labour this further, but I think you will find when you go to the West that some of these holdings are very well paid rents; and all I would say now in connection with that, is that I want to put in two tables, and I could have multiplied them to a hundred, but these will suffice. There is a table of what are called uneconomic holdings—small holdings in the counties of Sligo and Roscommon.* I think these are not all what I would call strictly uneconomic holdings. They are larger rents than the rents I was referring to in Donegal. The rents run from £12 6s. down to £1 10s.

25160-1. Most Rev. Dr. O'DONNELL.—Are you arguing the equity of the rent in regard to these small holdings? That is not the point?—No, no; we are dealing, I understand, with the purchase price of estates, and some suggestions were thrown out yesterday, I think, that in the West places of that kind——

25162. Because, if tables were applied to establish the equity of some of these, it would be necessary for some of the Commissioners to see the tables and ask questions?—Well, I am going to hand them in.

25163. The CHAIRMAN.—Will you finish your sentence which you had not completed when the Bishop put his question?—Suggestions were made, about the question of purchase, that some of the estates in the West would be found to be in rather a poor state or condition. I forget who said that.

25164. As regards security for the advance?—Yes. This table gives the names of the townlands and the judicial rents fixed and all that, but the two important columns that I merely draw your attention to now are these. The sale of the tenancy (that is the occupation interest) by the tenant, and the number of years purchase. That was a great deal more than for the property being sold, and they are very remarkable figures. I do not want to press them in any sense beyond this, that in making advances on these small holdings the State are very safe, and at any time would be able to get payment. The amount obtained for the sales of the tenancies was £2,194; the amount obtained for the sale of the estate was £1,901.

25165. £2,194 was the gross amount of the tenant right, was not it?—Yes. On these particular holdings.

25165A. What the tenant right of them sold for?—Yes. The average annual rent was £6 19s 7d., and the tenants' interest in these 12 farms was sold for £293 more than the landlord got for the fee. Those are the only holdings on this estate to which the above information applies, those in which the tenants' interest has been sold and purchased

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under the Act of 1903. I offer no explanation of it. Ireland is a country where peculiar things happen.

25166. Sir ANTONY MACDONNELL.—You admit that the rents paid for these holdings cannot be got out of the land itself?—I don't think they can.

25167. They have to come from extraneous sources?—Yes, I believe so. My contention is that it being a place for a man to have a home on it is valuable to him. Well, I did not wish to shock you by producing this other table first.

25168. CHAIRMAN.—Do you know what average does it work out at—the sum that you quote as being the gross amount of the sales of tenant right. How many years' purchase of the rent does that work out at, do you know?—I did not calculate that, but each case is given and you will see they vary very much. There is one rent of 10s., and that would give you an idea. There is one of a judicial rent and its amount is 10s., but they vary. This is a very interesting table before me, for it is from the County of Donegal, and of course we have always had tenant right in Donegal, long before the days of Land Acts.* Prices run very high, and what is also additionally interesting in this is that it is an estate that was managed by either Captain Kennedy, who had to do with the Devon Commission that was before you in evidence—I think it was he—or his brother, and this is the property to which part of that striping of land which was laid before you in the Devon Commission Report refers † Now these are all, in my opinion, uneconomic holdings in the sense that a man could not on the holding itself support his family, even a moderate-sized one. These rents, none of them exceed £5 12s., and most of them are a great deal lower, such as £2 10s. and £3 8s. I made this table within the last few years at a time when I was acting as agent for that estate, and they are things within my own personal knowledge, dates of sales, amounts paid and so on. I cannot tell you how the estate has sold. It has been sold since, but I have no information about that. The amounts received for the tenancies vary. I did not trouble to pick out cases that went below 23 years' purchase, because I have so many above it. They run from twenty-three years' purchase to 66⅔ years' purchase. The 66⅔ years' purchase is on a rent of £2 8s., and there are the names of the sellers and the names of the purchasers, and that is an estate that was striped, and was set before you as a valuable suggestion of what might be done In my opinion it is stereotyping paupers.

25168A. Most Rev. Dr. O'DONNELL.—May I take it that on those small holdings when the tenant right was sold for 66 years' purchase the tenants had done very large improvements?—Well, there is no room for large improvements on any of them beyond the ordinary tilling of the ground.

25169 In the neighbourhood at all events land has been taken in plots, valued probably at 2*d* an acre, and might not the poor law valuation lead one to expect tenant right sometimes to go up to 100 or 120 years' purchase?—In Donegal?

25170. Anywhere?—There is no accounting for those prices, and I know it is not of an ordinary commercial nature. If a man has money and has not land he looks for land as the easiest way of living, and he would sooner put his money into the land than into anything else

25171. There is a great demand for small farms on congested estates in the county?—There is, and for that reason I say it is absolutely good security for the State.

25172. There is land hunger?—Undoubtedly there is. Still in Donegal they go to a good figure.

25172A. CHAIRMAN.—I think you expressed some doubts as to whether this second table would not take our breaths away. You gave the more moderate table first. But I can tell you that a table that was given us about Captain Hill's estate when we were in Donegal was much more startling even than this one ‡ There the years' purchase of tenant right ran up to 123, to 228, and in one case to 428 years' purchase. Is that all you want to say?—That is all I want to say about uneconomic holdings. I thought it right to mention that point about the price of the tenant's interest.

25173. We really discussed this, but I would draw your attention to one thing, and that is to remember that after all in the case of the farm that you quoted the other day—I do not know that it was not a hypothetical case, but you stated that you worked on the figures very accurately?—Yes.

25173A. In that case you told us that the landlord's interest was one-sixth?—Yes.

25174. And the tenants' interest in that case was five-sixths?—Yes, it was.

25175. And in the figures that you quote in this memorandum, that you took from the Fry Commission, in that case the landlord's interest is one-third?—Yes. I merely used that for the purpose of illustration.

25176. Yes, in both cases they were used for illustration; but the landlord's interest is measured by the rent?—Yes.

25177. And therefore in the case of your five-sixths, if the landlord's interest, as measured by the rent, sells at 12 years' purchase the tenant's interest would be five times that amount, or 60 years' purchase?—Yes

25178. So that if your figures represent anything like the accurate proportions of the landlord's and tenant's interests, the tenant's interest must always sell for a far greater amount than the landlord's interest?—No, because the landlord's interest is not only the rent; it is in the fee of the holding. The landlord's interest as regards rent and the tenant's interest as occupier are jointly equal to the value of the producing power of the soil. It depends upon that

25179. You will explain to me if I am wrong; but outside the actual rent-producing power of an estate what is the value of the fee, for you speak as if the fee was valued outside the rent-producing capabilities of the estate or farm?—Well, you know there is this to be said:—If the tenant does not farm the holding properly he is cutting down the landlord's rent, through failing to develop the producing powers of the property, absolutely, and it appears to me that one of the great troubles of the land legislation has been this.

25180. He is reducing the rent-producing power of the estate?—And therefore the rent that the landowner receives is not necessarily the true value of the property.

25181. At that moment?—At that moment. But if it is taken from him for all the time it will never be.

25182 Is not that what I stated, that what the landlord's interest depends on is really the rent-producing power of the estate?—Yes.

25183 It may be less or greater?—Yes.

25184 But it is the rent-producing power?—Of course there are extraneous circumstances that are connected with estates, that we were talking about yesterday, that make it valuable.

25185. Those are the things you include in the fee?—Yes.

25186. And when you speak of the fee you have in your mind these things?—Everything from the centre up to the heavens.

25187 And therefore in quoting that case where the landlord's interest was measured by 12 years' purchase of the rent and the tenant's was measured by 60 years' purchase of the rent that would only have regard to one fact in the valuation of the estate?—Quite so.

25188. And that above and beyond that there remains the value to the landlord of his fee, which includes anything else beyond the actual rent?—And also all the undeveloped powers of the soil. There is no commercial basis whatever for these prices, and that makes the difficulty greater. Then as to untenanted land. So far, I have dealt with the sale of tenanted land, but there are some other considerations which must in justice be taken into account in the case of untenanted land, and this category would include grazing lands let on eleven months' agreements. Tenant right on occupation interest is a very real and valuable asset. Tenant right in Ulster differs somewhat from analogous customs in other parts of Ireland in its growth, history, and value; but, generally speaking, since the Act of 1870 Ulster tenant right and any analogous customs outside Ulster have been legalised, and the Act of 1881 gave every tenant in Ireland the right to sell to the highest bidder the occupation interest of his holding. This interest is valuable, though, of course, it varies in value according to the circumstances of each case. Proportionately, it is more valuable in the case of small holdings than of large, because the number of competitors for the smaller holdings are more numerous: but in every case, where the occupation

* See p. 242.

† See Appendix to Third Report of the Commission [Cd. 3414, 1907], p. 115, Question 15577

‡ See Appendix to Second Report of the Commission [Cd 3319 1917], p. 244

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interest as well as the fee is in the owner's hands, the value of the holding is considerably increased. To measure tenant right by the number of years' purchase of the rent is the usual habit, but is an utterly absurd proceeding. The thing bought is not the rent, but the occupation interest. This shows the want of fair play which owners endure when we find a valuer is sent out on their grazing lands with orders to fix a fair rent, and then deduct 15 per cent. for security, and the net result is taken as the basis of purchase. In order to show what fixing a fair rent may mean, I will give an example that occurred last January to myself. It will also show how diametrically contrary to fact is Mr. Commissioner Finucane's reply to query 16189—"Here, I understand, the presumption (as to improvements) is contrary to the fact. Whatever the presumption of the law may be, the tenant has in fact to prove the improvements are his" My case was as follows:—I am tenant under Lord Southwell for some fields in the immediate neighbourhood of Letterkenny, County Donegal, a town of 2,400 population, with three banks, gasworks, waterworks, and a railway station. I apologise to you, my lord, for omitting the cathedral. It has a handsome cathedral.

25189. Most Rev. Dr. O'Donnell.—You do not neglect it on important occasions.—(*Witness*)—I hold as mortgagee in possession, having entered on the holding in 1869 under a lease at £18 9s. annual rent. Recently I was advised by counsel that as I was in a position as quasi-trustee, bound to account to the mortgagor's representatives for any surplus over and above my own debt and interest due, I had better sell my interest, taking care first to get a judicial rent fixed. Of course I had never taken Lord Southwell into court, nor would I now have done so, but from counsel's advice. The case was heard by the Sub-Commission. I gave evidence and conducted my own case I stated the above facts, and furthermore told the court I had received £35 a year for the lands from 1869 to 1899, and since 1899 £28 a year; that I had not done any improvements, and that the lands were always either grazed or in hay. After inspection they fixed the judicial rent at £9 3s.—more than 50 per cent. reduction. I should be surprised if Lord Southwell does not feel this to be a hardship. In practice what becomes of Commissioner Finucane's presumption in favour of the landlord? And now I put in the pink schedule on which that rent was fixed by the Sub-Commission (*handed in*).*

25190 Sir John Colomb.—I do not exactly understand about a valuer getting orders to fix a fair rent and then deduct 15 per cent. for security. What did you mean by that?—The evidence that has been given in before you by, I think, Mr. Stuart, the inspector under the Estates Commissioners, that when he is sent out on grass land his instructions are to fix a second term rent (by whatever method he adopts) a second term rent such as a solvent tenant would be able to pay for the land if put into it, using it as a mixed farm. And having arrived at that second term fair rent his instructions are to reduce it by 15 per cent., and to adopt that as the basis on which the purchase money is to be calculated.†

25191. And you object to that as an unfair and unreliable way of getting at what is the value?—Certainly.

25192 That is, the value represented by money?—Certainly.

25192A Sir Antony MacDonnell.—With regard to that, Mr. Boyd, there is no compulsion. It is merely the basis of an offer which the Estates Commissioners make to the landlord and which the landlord either accepts or does not accept?—At present that is so

25193. And therefore where is the hardship?—Well, it leads to sales not being as frequent as they should be if based on a reasonable principle

25194 But in regard to sales that have actually passed—and many sales do pass—how is the landlord endangered? An offer is made to him by the Estates Commissioners, and if—it may be in the way you say—an offer is made to the landlord and he accepts it, where is the harm?—Well, I should have thought that the Estates Commissioners would have wished to do justice to both parties, and I do not think that is doing justice.

25195 Do you think the landlord will accept a price which does not do him justice?—He has to, sometimes; indeed he has.

25196 Chairman.—Wherever you are dealing with untenanted land at the present time there has to be inspection, has there not?—For sale?

25197. Yes?—I think so.

25198. With regard to untenanted land?—Yes.

25199. And therefore, supposing that you have an estate which is partly tenanted and partly untenanted and where the price may be perfectly satisfactory so far as the tenanted land is concerned, but not satisfactory to the landlord so far as the untenanted land is concerned because the offer was calculated on the basis which you have just described, does not an element of compulsion come in if the Estates Commissioners refuse to declare that an estate unless the untenanted land is sold with the tenanted?—Certainly.

25200 And therefore in cases of that kind the system even now is not quite voluntary, is it?—No. I was wrong in saying that.

25201. Sir Antony MacDonnell.—I was thinking of untenanted land purely?—My answer was on that basis, but the way that Lord Dudley has put it to me shows undoubtedly that compulsion could be used.

25202. The Estates Commissioners cannot refuse to declare tenanted land to be an estate unless it be a congested estate. I did not refer to extreme instances such as were mentioned, but as a general rule where the untenanted land falls within the zones the Estates Commissioners are bound to declare that land an estate. When the tenanted lands are congested and the landlord has untenanted land in the neighbourhood which may be available or made available for the relief of congestion, there the Estates Commissioners can say to the landlord, "We decline to declare your congested tenanted land an estate unless you give us sufficient untenanted land wherewith to relieve the congestion." So far there is compulsion, but when you make an offer for the purchase of untenanted land there is no compulsion?—On untenanted land. I stand over my reply to you.

25203 I think I am correct in saying that the Commissioners exercise that degree of compulsion to which his lordship referred only in the case of congested estates when the landlord possesses untenanted land which can be made available for the relief of congestion. Then the Estates Commissioners may, and they have in many instances to my own knowledge said, "We will not declare your congested tenanted lands an estate unless you give us a certain amount of untenanted land wherewith to relieve congestion"?—Well, I am under the impression it was done outside congested estates, but I am not going to contradict you about it.

25204. I believe I am right in saying that that is the rule, Mr. Boyd?—Well, the O'Conor Don will be able to deal with that particular case, for I know his father told me about it, where the Estates Commissioners refused to declare one of his properties lying in a ring fence an estate if he did not sell 400 acres of grazing land lying in another district.

25204A Yes, I am familiar with the proceedings of the Estates Commissioners?—Well, I will leave that to the O'Conor Don. But I think it would be a very unfortunate thing were important administrators like the Estates Commissioners to adopt a new basis that would not enable them to arrive at the true value; and they cannot arrive at the true value on that basis, because in the case of untenanted land the landowner has two interests vested in himself.

25205. The explanation is this, that in the case of untenanted land the Estates Commissioners are bound to act on the general rule that they can incur no loss in the resale of the estate, and when they are buying untenanted land not for the purpose of relieving congestion, but buying it for the purpose of carving out fresh holdings they must consider and form an estimate in their own minds as to what annuity they will be able to recover from the tenants placed in possession of the untenanted lands, and on that basis they must make their offer to the vendor. The vendor need not accept it; he is under no compulsion. If the vendor does accept it the matter goes through; and that many vendors think that that is a satisfactory and practical way of doing the work is evidenced by the fact that the Estates Commissioners are purchasing untenanted land?—But is it not a hardship that the owners should be called upon to pay for State policy.

25206. How can you call that a hardship when you see that the offer is made to the landlord, and he is free to take it or not to take it. If he accepts it is there compulsion on him?—Well, Sir Antony, it would be more important now than ever to start on fair principles, for compulsion is in the wind. I

* See p. 240.

† See Appendix to Third Report of the Commission. [Cd. 3414, 1907] p 225, Question 17565.

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am afraid that if compulsion is carried out now the principles at present in vogue will be likely to give way to those which have been practised in the office.

25207. You have been most illuminating on that point, Mr. Boyd, and certainly, speaking for myself, I will give every consideration to that; but I cannot see that the landlord is endangered so long as it is voluntary?—So long as it is voluntary, but the offer is made to him on the basis of second term rents which is formed in the inspector's mind.

25208. CHAIRMAN.—Mr. Boyd, in the case which I brought under your notice just now the compulsion on the landlord is not only the power of the Estates Commissioners to refuse to declare his property an estate, but there is also compulsion on the part of the tenants who have settled their bargain with the landlord and are therefore pressing him for all they are worth to complete the sale?—Of course that is so.

25209. So that he is practically between the devil and the deep sea?—Yes; now I wish to draw your attention to a point regarding the substantial value of the occupation interest, and I cannot understand Mr. Finucane's memorandum on the subject that he doubts whether such a thing exists. It absolutely exists in this way. When a tenant either surrenders a farm or is bought out of a farm by the owner, the tenant's occupation interest then vests in the owner, which shows that he is recognised not only as owner but as occupier. Because, in paying income tax he pays under Schedule A as owner, and on the same lands under Schedule B as occupier. And take a case of my own that will make it quite clear. I have a fairly large home farm, a considerable part of which lies outside the demesne proper. Long before the Irish Land Act my predecessor, my uncle, bought the tenant right from two tenants of two farms adjoining each other. The rents were respectively £9 and £12, and up to the passing of the Land Act of 1881 the Ulster tenant right on our property was strictly limited to ten years' purchase. There was never a case known on our estates in Donegal of the Ulster custom going beyond ten years' purchase, because it had always been felt that it would be a ruinous thing to allow a tenant to pay an excessive price, for it stripped them of all the capital, and they would not be able to carry on; so that up to the Act of 1881 the tenant right was ten years' purchase. We gave the full price to those two men. One went to Australia. It was a voluntary thing. We did not put them out. The other turned cattle-dealer. These lands were in my hands from 1869 till the other day. I came to the conclusion, seeing the way things were going in Ireland, that to keep a big home farm for my eldest son, who will, I hope, be in the army in India or somewhere, would be a mistake, so the occupation interest of this place, for which I had paid £210, I offered for sale. It was bought at £255. There was no bidding against two brothers who attended. They were from America. They bought it at £255, and it came to a question of title. Their lawyer raised a point about it, and they dropped the sale, the point being that my son, not being of age, and having an annuity on it, could not join in the conveyance. A few days afterwards a tenant of my own on a farm rented at £6 14s. adjoining this called on me about it. I told him the price the other men agreed to give, £255. He said, "I have not a word to say about that; it is cheap enough." I told him the rent. I reduced the old rent to current prices, to what the second term rents came to on farms in the immediate neighbourhood. The rent would be £17 by that, reduced from £21. I said to him, "All I can do for you is to get you in at present as a future tenant, for there is no other possibility, in this complicated land system, of doing what I am willing to do with you. You will go in as a future tenant, so as to start the relationship of landlord and tenant, and I then will, at my own expense, and without any trouble to you, send an agreement to the Land Commission and get you registered with their consent as a present tenant, and subsequently, if I am selling it, you will be in the position of every other judicial tenant at a second term rent to buy." He said he was quite agreeable. The thing ran through in usual course, and he made an affidavit of all these facts, and no objection was raised, and he is a judicial tenant at the present time. Now in these two farms I had the occupation interest. I sold it, and I put £255 in my pocket. What is the use of telling me there is no occupation interest vested in the owner?

25210. Sir ANTONY MACDONNELL.—Do you make that observation with reference to the price of untenanted land?—It is made to show you that where the occupation interest is vested in the owner it has a real value.

25211. I never denied that. What I say is that it is the practice of the Estates Commissioners so far as I know, and certainly of the Congested Districts Board, to recognise the interests of both and to give valuable consideration for both?—Not quite what it is pointed out to me.

25212. What I say is that a solid sum is given for both interests. If that sum be less than the landlord believes to be his solid interest that is another question?—If he did not accept, then the compulsion comes in.

25213. CHAIRMAN.—Mr. Boyd, with respect to compulsion I wish to ask you a question. We have just now discussed a case where the Estates Commissioners have used what is practically compulsion to force a sale of grass lands which they considered necessary for the relief of congestion?—Is this a general question or any particular case?

25214. Well, we did mention a case just now. I think you must have read of several cases of the kind?—Certainly.

25215. It is shown that in the opinion of the Estates Commissioners at any rate there does arise occasionally a necessity for compulsion to obtain grass lands that they require for the purpose of migration?—Yes.

25216. Now, I want to ask you this question, and I think it is very important. If we start on the assumption that in such cases compulsion is necessary and is required, which would you rather see, compulsion of the kind that is used now by the exercise of the power in the Estates Commissioners to refuse to declare a property an estate, or would you like to see real frank straightforward compulsion. Would you like to see a body invested with the power of going and saying, "Now, we want that grass land, and we won't complicate the thing by mixing up two properties and saying that a property is not an estate unless you sell us that grass land. We want that land and you must sell it at a fair price." Which would you like to see, the indirect compulsion which is now used by the power of the Estates Commissioners to refuse to declare a property an estate, or direct compulsion to obtain the land that is wanted?—I think before I could answer it I should require to know in what way the value, in the case of compulsion exercised by a tribunal, would be arrived at. If it was an automatic thing agreed on beforehand I would far prefer a downright compulsory process; if we knew what it would be beforehand. But we think that to wait and leave uncertain what principle of valuation might be adopted, seeing that the principle now adopted is a false one, might be very dangerous.

25217. Do you think that under a direct system of compulsion of that kind the price of untenanted land would be less satisfactory to the landlords than it is under the system at present in force?—It would be impossible to say that without knowing more about the proposed tribunal. I would not like to see the Estates Commissioners as at present constituted given distinct powers of compulsion to make a man sell land at a value to be fixed by them. I would dread it intensely.

25218. It is fixed now?—But it is voluntary.

25219. You would prefer the voluntary way?—I would sooner take my chance of the voluntary system than leave it to them, acting as they are at present.

25220. You would rather have the present system that is having pressure brought to bear upon you by tenants upon the tenanted portion of the holding to sell the untenanted land at a price that you were not satisfied with—you would rather continue that system than have a straightforward system of having the untenanted land declared an estate, and having the matter of the required untenanted land submitted to a tribunal?—A tribunal? Would it be a judge of the High Court? I would willingly accept that.

25221. Surely nobody would deny an appeal to the High Court or some such body. Every compulsory system must have some kind of appeal

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to a very high body. Nobody would suggest that compulsion should be exercised by a lower tribunal without appeal. You must have an appeal to a very high tribunal?—If it was a judge of the High Court that would modify my view very much.

25222. If you had the power of appeal to a judge of the High Court in cases of compulsion, would you rather have direct compulsion than the kind of thing that exists now?—I would.

25223. Sir ANTONY MACDONNELL.—And if it was such an arrangement as this, that if the executive body could not come to an agreement with the vendor then the matter should be referred to the judicial tribunal for settlement?—Well, it would depend on the judicial tribunal.

25224. The highest tribunal, a judge of the High Court?—I do not know how to say what I want to say lest it should seem nasty.

25225. No, no; all personal imputations are eliminated from our discussions. Think of the ideal Commission?—What I mean to say is this, that the Estates Commissioners, and more especially two of them, have been acting on principles that landowners consider unsound and not offering fair treatment to both parties, and to a certain extent they admit themselves that they are influenced by a desire to secure advances.

25226. That is the security for the State?—That is security for the State. If men holding these views were to be judges of the High Court or judges of the High Court were to be men holding these views I would sooner be as we are now. But give me a good independent judge of the High Court that knows the value of property and I would far sooner have a sound tribunal, even with compulsion. But, even preferring to take a judge with an independent position of authority like that, I think, to get a fair value you should have an appeal to some outside body, not part of the Land Commission itself.

25227. For my part I grant that?—That would make a great difference, Sir Antony.

25228. CHAIRMAN.—Now, Mr. Boyd, I gather from these remarks of yours that it might be possible to set up in Ireland a tribunal outside the machinery of the Land Commission, that would be regarded with confidence by the landlord class in Ireland as a tribunal for fixing what is the fair price?—I believe it would be possible, but, as you know, Lord Dudley, a tribunal depends very much on the *personnel*.

25229. Would you take for instance a judge of the High Court?—Yes.

25230. An ultimate appeal to a judge of the High Court—would that meet your view?—Well, I think it would, if it was not in any way on political lines; but it is so hard to get off political lines, and if it was run on political lines it would be a pity.

25231. Do you think in the case of an appeal to a judge of the High Court it would be run on political lines?—If the Court was to be constructed for the purpose there would be a great temptation. I do not know whether it would be an existing Court, but if it was constructed for this purpose.

25232. Sir ANTONY MACDONNELL.—You said that you would like to see such a tribunal an outside body. You could form a bench of three judges of the existing High Court?—Oh, that would do. That would be a different thing. But we never had a suggestion of that kind.

25233. That was running in the minds of us all—I think something like that. One or three judges of the High Court?—Yes.

25234. Sir JOHN COLOMB.—I want to be quite clear about this. Do you think that the landlords would accept compulsory purchase without any principle being laid down by which the value of land was to be settled and the initial price to be fixed by an inferior court—you say you would be satisfied with an appeal to the High Court. Is that so?—Yes.

25235. What is in your mind as to the constitution of the Court the decisions of which you provide for appeal against—what is in your mind about that?—I cannot do more than reply to the questions that are put to me, and Lord Dudley put to me two alternatives to choose one. Having regard to that I only answered it on the basis on which it was put.

25236. That is the reason I put the question to you. I suppose you start from this point, that really if you could guarantee a thoroughly independent tribunal of men who understood their business, you would rather see a system of direct compulsion openly applied than the system which now exists?—Yes.

25237. Well then, in carrying out that system you come to this—who is to name the price to start with?—The lower tribunal.

25238. Do I understand you to say that you would accept the Estates Commissioners or the Land Commission as the lower tribunal?—I objected very much to doing so to Lord Dudley. I told him I would object.

25239. Is not the very essence of the thing this, that those who fix the price, leaving open the power of appeal, should be absolutely impartial and perfectly independent?—It ought to be so.

25240. Now, do you on principle object to this, that officials of the State, the State being the purchaser, should compose that lower court?—Well, the State is hardly the purchaser, but advancing the money to the purchaser.

25241. The position of the State is that it is going to advance the money on a certain security?—Yes.

25242. And the object of the State would be to advance as little money as possible?—To get the best security.

25243. And the officials of the State are the agents charged with carrying out that policy of paying as little as possible?—But I do not see how compulsion can be introduced and the State ignored in the matter even of the lower tribunal.

25244. It is merely to clear the matter up so that we shall not have any confusion about it afterwards. Would you be content to have as members of the lower tribunal officials responsible to Parliament and to the Government for fixing the price?—Well, the question that was put to me by Lord Dudley was an alternative one, and I had to answer it on that line. You are putting to me what I had not been asked before, and it is a very difficult question to answer, and I could not by my answer pledge the landlords to it because I have no right to pledge them in anything with respect to compulsion. In any replies I have made to this I would ask the Commissioners to consider them my own views, not as pledging the landlords, because they abstained from putting anything about compulsion in my brief. That is all I would have to say, but I would be of opinion that well-judging men would prefer seeing a tribunal appointed free from political influences, in the first instance by compulsion to acquire land by the proper and correct method of valuation, employing competent men to do it, and giving an appeal from their decision to, I think, three judges of the High Court. I think they would be well advised to adopt that.

25245. Do I understand you rightly that if the Court of First Instance was so constituted as to be obviously a court composed of men of knowledge specially adapted to this business and who understood it, you would be satisfied with such a Court of First Instance?—If men were what?

25246. If men were appointed by the State to deal judicially with the facts?—I do not think that the present Commission acting on the principles they are now acting on would satisfy the landowners as a Court of First Instance.

25247. CHAIRMAN.—Estates Commissioners or Land Commissioners?—Estates Commissioners.

25248. But how about the Land Commissioners?—Well, the Land Commission are doing the best they can in my opinion. It is a very difficult case, but I think it would be much better if there were some rule to guide them, but I see they take a great deal of trouble and pains over their work.

25249. Apart from the Estates Commissioners would the Land Commission satisfy you as a Court of First Instance?—I am afraid the landlords would say, "They have been cutting our rents very low."

25250. Sir ANTONY MACDONNELL.—Do you not get better prices from the Estates Commissioners than from the Land Commission?—The Land Commission do not buy estates.

25251. CHAIRMAN.—The Estates Commissioners would be parties to the suit themselves?—The Court of First Instance.

25252. No; the Estates Commissioners would be the purchasing party?—You are thinking of buying estates *en bloc*.

25253. I am taking the case which I think Sir John Colomb had in his mind—compulsory powers applied to untenanted land?—Yes.

25254. And Sir John asked what sort of Court of First Instance you would be satisfied with, and you

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told us you would not be satisfied with the Estates Commissioners?—No.

25255. I cannot conceive the Estates Commissioners being in such a position, because they would be themselves parties to the suit?—Quite so.

25256. They bring the landlords into Court. They would be the party buying the land, and the landlords would be selling the land?—Quite so.

25257 And therefore obviously the interest of the Estates Commissioners would be I think directly represented from their point of view, and you would want a third person to decide between them and the landlord so far as the price?—Yes.

25258 Would the Land Commission satisfy you as being the proper tribunal to have the first hearing of a case of that kind with an appeal to a higher tribunal afterwards?—If the present Land Commissioners were assisted by valuers of a higher grade, I mean professionally, with more training and more knowledge, such as act as Assessors to Judge Fitzgerald in the Appeal Court of the Land Commission—that class of men—I should think that would not be an unsatisfactory arrangement; but the present men that fix fair rents vary so much When a Commission comes to a district everyone knows the men that are on it, and whether the rent will be much cut down or not.

25259. You think the present Commissioners who fix fair rents are an unsatisfactory body?—Well, I do not say that. I say they are labouring under great difficulties. But I say that the Lay Assistant Commissioners would be unsatisfactory valuers to put a price on the fee.

25260. Of land?—Yes.

25261. Of course you would not be satisfied with the result of their work in fixing rents?—Well, I said I was not going to criticise that. I found them very painstaking.

25262. Sir John Colomb.—Therefore, it comes to this with reference to the machinery for compulsion, that you have in your mind some arrangement as to the Court of First Instance, which really does not exist?—Yes.

25263. And that when you talk of being satisfied with an appeal to a higher court, from the Court of First Instance or some body set up to deal with the matter in the first instance, you had that in your mind, and not really the present position at all?—Quite so.

25264. Do you agree with me as to the importance of this, that in view of the heavy cost that any appeal involves, it is extremely important that the Court of First Instance should be so composed as to render appeals infrequent?—It certainly is.

25265. And that a Court of First Instance which was not more satisfactory, or in which the machinery representing the Court of First Instance was not satisfactory, would diminish any value of the Court of Appeal by reason of the penalty and liability of heavy costs?—Yes, but a great deal, of course, would depend on the law and the rules made in regard to costs. Landowners are a little penalised in that respect in fixing fair rents. They need not be necessarily penalised in the new arrangements that are about to be made in appealing on the price of the holding.

25266. But, not to pursue it too closely, the nature and composition of the original Court of First Instance should command general confidence by reason of its composition, by the State, as giving a guarantee of not acting in the interest of the State or in the interest of the landlord, and impartially, and so giving an expert thoroughly independent judgment?—Certainly.

25267. Chairman.—Do I understand that Judge Fitzgerald's court, aided as that would be by the assessors, whom, I think, you said you regard with confidence, would satisfy you as being an adequate and fair tribunal from the landlords' point of view as a Court of First Instance?—It is very hard to answer for other men.

25268. Would that satisfy you personally—don't mind other men; your experience is of great weight, and good enough for us?—That throws a great responsibility on me, but I think that would be a fair tribunal.

25269. Sir Antony MacDonnell.—Do you think that the tenants would think it a fair tribunal?

Chairman.—But that is not the point we are at the moment considering.

Sir Antony MacDonnell.—I respectfully submit that you are to have a tribunal that would be respected by all men.

25270. Chairman.—From the landlord's point of view?—Well, I think anyone on whom you fix in the first instance with a view to the valuing of property ought to be in a judicial position. Of course it would not matter who it is provided you can put anyone into that position.

25271. Sir Antony MacDonnell.—You said you would be satisfied with Judge Fitzgerald's court as at present constituted?—That is as at present constituted, but if political feelings were to prevail you could not say what would happen.

25272. You are satisfied with the present court in the present phase of political feeling?—I think it is as good as we can get. But I think if the thing is intended to work smoothly, very great importance ought to be placed on the qualifications and standing of the valuer who is employed, because even in such a court as Judge Fitzgerald's the latter deals with the law. He does not know, I suppose, much about land except from the experience derived in court. He goes by the assessor's advice, and rightly so, for he is qualified professionally, and I think a great deal more would depend on that possibly than on the law part of the court.

25273. Most Rev. Dr. O'Donnell.—In confirmation of what Sir Antony told you a few minutes ago, the Congested Districts Board has practically recognised the dual interest, and paid a considerably higher price for untenanted land than for land occupied by tenants?—Yes.

25274. You take an interest in the relief of congestion?—Certainly.

25275. You can well understand that a body engaged in improving uneconomic holdings might find it very desirable to acquire a particular tract of land rather than land in general?—Yes.

25276. Land situated in a particular region would suit them; land at a distance might not?—Yes.

25277. You will, therefore appreciate the need for some powers of acquiring that land on reasonable terms?—I think it can be acquired without any compulsory powers if a fair price is offered.

25278 But a man knowing that his particular land is wanted may put up the price?—Yes, but that would not be done. If a man would not sell his estate on fair terms within a reasonable time you would not find the Landowners' Convention objecting to compulsion. Landowners are willing and ready and waiting to sell their land, knowing that it must come sooner or later; only they dread the delay, the uncertainty, and the vexation connected with it.

25279. Is it your opinion that the Landowner's Convention would not object to compulsory transfer if it was done on reasonable terms?—If it were on fair terms. You are speaking of untenanted land?

25280. Quite so. As it has been put to you, under a system of compulsion probably a comparatively small number of cases would go before the tribunal. The price would be agreed upon in the great bulk of cases?—They might.

25281. Cases not agreed upon would go before a tribunal of first or second instance?—Yes.

25282. You conveyed that if there was a reasonable prospect that the Court of Judge Fitzgerald and his assessors continued as it is there would be scarcely any objection to it as a court of first instance?—I think it is the best you can do.

25283. Then Sir Antony MacDonnell outlined a Court of Appeal that might consist of three judges. That also would not be bad?—Yes. Three judges of the High Court.

25284. It does not pass the wit of man to frame courts of first and second instance that would command the confidence of those who are interested in these important proceedings?—Certainly, if political influences are kept at bay.

25284a. Only one question with reference to that case of yours with Lord Southwell. It is a very interesting case, but I doubt if it proves anything against Mr. Finucane's contention that "whatever the presumption of the law may be, the tenant has in fact to prove that the improvements are his." That is the contention you wish to rebut?—

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Yes. In other words, that the presumption of improvements is in favour of the landlord.

25285. This case of yours with Lord Southwell seems hardly germaine. Improvements did not come into the case?—Oh, yes, the schedule I have put in sets out the improvements in detail, and the deduction of £2 2s. for my improvements from the gross rent. You are perfectly right in saying that so far as the case came before you there was no proof, but there is the schedule which nails it to the counter.

25286. I took it that there was scarcely a statement of improvements that would disprove Mr. Finncane's assertion?—Certainly. But apart from that Mr. Finucane is absolutely wrong in law. The law is this. In Ulster tenant-right cases all presumption of improvements is on the tenant's side.

25287. Sir ANTONY MACDONNELL.—I think Mr. Finucane admitted that?—He said the presumption is in favour of the landlord.

25288. He says the legal presumption is in favour of the tenant, but that it works out the other way. Section 5 of the Act of 1870?—The Act is right enough It is Mr. Finncane who is wrong.

25289. Mr. Finucane says:—"Here, I understand, the presumption as to improvements is contrary to the fact, whatever the presumption of the law may be, the tenant has in fact to prove that the improvements are his"?—Yes

25290. The presumption is not in favour of the tenant, according to Mr. Finucane. He has to prove them?—He would not if the presumption was in his favour.

25291. Sir ANTONY MACDONNELL.—He says the presumption is in his favour as I read it, but he says the actual administration is that he has to prove them his.

25292. Most Rev. Dr. O'DONNELL.—My point is this, that improvements scarcely come into this case?—My point is this. Suppose if I accept your view of it, Sir Antony, which I do not think is what Mr. Finucane says, and I prove I had done no improvements on this holding. They then come to fix a fair rent, and they give me credit for fences, including open drains for 79s., after that six acres and two roods drained they take £1 13s., and after that they deduct £2 2s from the grose rent

25293. They thought you had acted up to the presumption?—But I swore on oath in Court I had not done so.

25294. There is no question about what you said in Court?—No, but my point is that they had my evidence before them. I swore in Court as a witness that I made no improvements on that farm, but notwithstanding they deducted £2 2s. from the gross rent.

25295. Most Rev. Dr. O'DONNELL.—Is it not strange how that should have happened?—I will tell you how it happened in regard to the law. Mr. Finucane is wrong. In tenant right cases the presumption of all improvements rests in the tenant In other cases the presumption of improvements rests on the tenant with certain exceptions Improvements made prior to 1850 have to be proved by the tenant, and improvements made on estates kept up on the English system are another exception. Further, the tenant would not get credit for any improvements for which he had been compensated by money or otherwise. With these exceptions the presumption on all holdings in Ireland is in favour of the tenant, and the tenant need not open his mouth or say that he has done any improvements. Whatever improvements are found on the premises he will get credit for

25296. Was this flooded land?—Some parts, but not the bulk of it.

25297. Would that account for the reduction?—Oh, no

25298. Sir JOHN COLOMB.—You say you never claimed any improvements?—Nothing. I had done none.

25299. Did you state before the Court that you had done no improvements?—I did.

25300. You swore that you had made no improvements?—I did.

25301. And yet you got credit for improvements which you swore you never made?—Yes The presumption in law is in favour of giving the tenants all the improvements made.

25302. Mr. KAVANAGH.—You had evidently made improvements unknown to yourself?—By grazing and letting the land for grazing and hay, including fences and everything

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25303. We had a long discussion yesterday on how to arrive at the net income of tenanted estates. How can we arrive at the net income of untenanted land in cases of compulsory purchase?—I have shown how inadequate the price would be if the purchase money of grazing lands and lands in the owner's hands were estimated by fixing a second term rent on them Yet the majority of the Estates Commissioners follow that practice. Is there any other guide as to the value of lands in the owner's hands? I am glad to say there is, as follows:—The Inland Revenue Department assess income tax under two schedules. Schedule A. represents ownership, and the full rate of tax is assessed under it on the valuation of all lands of which the payer is owner. Schedule B represents occupation, and one-third of the tax is assessed under it on all lands in the owner's hands, that is, which he occupies. This is equivalent to assessing the full tax on one-third of the Government valuation It follows that the Inland Revenue authorities consider that the joint interests of owner and occupier combined in one represent a sum equal to the Government valuation *plus* one-third of that valuation. In normal cases I think the income tax assessment as above (Schedule A *plus* Schedule B) should be taken as representing the net income from untenanted land, and should be capitalised at a price which would yield the vendor the amount of that assessment as his net income. In numerous cases, however, the net income is greatly in excess of that assessment. The vendor should, therefore, have the option of proving that his net income should be taken at a higher figure, and should be entitled to prove same by sworn evidence before a judicial tribunal, with a right of appeal.

25304. Sir ANTONY MACDONNELL.—I think you said that the tenement valuation on the whole equals about second term rents?—I took it from Mr. Finucane's evidence. He said, I think, about twenty-two to twenty-one.

25305. If that be so, and if you take the income tax assessment, upon which a fair price might be calculated as 1½ of the tenement valuation, it will result, in the case of an estate of £100 gross second term rents, and £90 net income on this, that instead of getting £2,580 you would get thirty-four years' purchase?

25306. If it be the fact that the income tax assessment is 1½ the poor law valuation, it means that the landlord will require a third more than his rent, he will require thirty-four years' purchase, or higher still. I quite agree that the landlord would like to get that price, but it is a hopeless and impossible basis of valuation. I submit that an income tax valuation is a hopeless basis for fixing the price. It would ruin the tenants of Ireland, and the Government would never be able to agree to advance money on such a basis?—It is the basis the Government adopt for taxing the owner on his annual value, and that being so, I do not know why the Government should object to it as a basis of price.

25307. But it is the tenant who pays the price?—I do not think the Government would object to it on the point of value.

25308. You say that the landlords are willing to accept from the tenants twenty-five years' purchase of the net income of second term rents?—Yes. That is for tenanted land.

25309. But here you ask for thirty-four years' purchase?—This deals solely with untenanted land What we have been speaking of is land where the occupation interest and the fee rest in one man.

25311. Oh, that makes a difference?—Entirely.

25312. Still we have it that the Estates Commissioners purchase untenanted land for twenty-six years' purchase, and the Congested Districts Board have bought large tracts of untenanted land for less than thirty years' purchase, whereas your basis here is thirty-four years?—If an arrangement could be come to by mutual agreement well and good. But if it came to having to fix it, it would be very satisfactory to know what to expect. If you notice the fourth line says, "on grazing lands and the lands in owner's hands."

25313. Mr. KAVANAGH.—You say an income tax basis works out at thirty-four years' purchase?—Well, I have not got the figures. Sir Antony has worked it out.

25314. Sir JOHN COLOMB.—I understand that the income tax basis applies only to untenanted land.

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For tenanted land you take the basis of net income to arrive at something like a principle working automatically to establish the price?—Yes.

25315. In the case of untenanted land you are not prepared to adopt the basis of net income, and would substitute the basis of income tax assessment?—That is so.

25316. Is no deduction to be made for collection in the case of untenanted land. In that case you have departed altogether from the 10 per cent. for collection?—Yes, but even if grazing lands were valued on this basis there would be nothing unreasonable in deducting a certain percentage for the cost of collection and certain other expenses.

25317. You would not take an automatic deduction of 10 per cent. as the limit?—I would take it as the upper limit.

25318. But in the case of untenanted land you are simply advocating the adoption of a principle that would work automatically, and that is taking the Government upon their own terms. You say to the Government, "You tax us so much, and you must give us the value on which you tax us"?—Yes, but even on that I think it would be reasonable to make a reduction not exceeding 10 per cent., but there are various costs to be met in connection with the land.

25319. Your whole position, as representing the landlords, is that you do not want to press for more than what would really be considered a fair and reasonable value for their land?—That is the position.

25320. Whether tenanted or untenanted?—Yes.

25321. Most Rev. Dr. O'Donnell.—So far as I can see, you bring in the point about income tax as paid on occupied and unoccupied land, solely for the purpose of arriving at a basis for calculating the value of untenanted land as compared with tenanted land?—Exactly.

25322. The reason, I understand, why you take valuation as the basis is that valuation approximates to second term rents?—Yes.

25323. Might it not be better to ascertain what the second term rent would be, and then add one-third afterwards?—The difficulty you are faced with there is this. The only provision for fixing second term rents in the land code is to be fixed in court between the occupier of the land and the landlord, which is impossible when you come to untenanted land, and it is after taking evidence on oath and all the circumstances of the district and everything into account.

25324. Could the second term rent be fairly arrived at by taking the standard of the second term rents on similar land in the same county?—It might approximate, but it would be difficult on account of second term rents being unequal, even with the best endeavours.

25325. Yet you say the sale of land would be calculated on the basis of second term rents?—Yes.

25326. But people generally say that the valuation has scarcely any reference to the letting value?—No uniform reference.

25327. Hence would there not be some advantage in trying to arrive at what would be the second term rent for these grass lands in the event of their being sold?—If it could be done, but there is another consideration which tells the other way. Take a grazing ranch in Roscommon. It is worth a certain price. If it is cut up into smaller places, and migrants are brought to it, it will fetch a considerably higher price, because you yourself have admitted that small tenancies always fetch more than large. So that there could be no fear that there would be any difficulty in disposing of the farm.

25328. But the point I am on is this. You have accepted the second term rent in the case of tenanted land as the basis of calculating the yearly income?—Yes.

25329. If we could arrive at what the fair second term rent would be for untenanted land we should know by what proportion it ought to go up in order to give you the approximate price for untenanted as compared with tenanted land. It would go up a third?—Yes.

25330. Therefore if we know what the second term rent would be on untenanted land we should in your view know exactly what should be paid for untenanted land as compared with tenanted land?—If you can get a second term rent fairly fixed, but it would be a very difficult process. When you deal with the matter of fair rent between owner and occupier they are both in Court and can give evidence. The occupier can give evidence as to what the land has done for him, and the inspector can go out and see what the land is as the result of the work on it by tillage. This cannot be seen on grass land. The evidence you would get in the case of grass land would be this. The landowner would have to show the income he is making out of it and how many head of cattle it would turn off in a year, all of which would be done away with if this limitation were substituted and you would arrive at any satisfactory idea.

25331. Personally, the only alternative I can see would be an average based on second term rents throughout the county?—That would not be very fair to the owners who derive much of their income from grass lands.

25332. You propose to add a third?—Yes, but that would not touch that point.

25333. Sir Antony MacDonnell.—Is not there great instability about these rents?—In practice it is not found so. There is a great deal of talk about free trade in cattle, and the importation of Canadian cattle, but I have not found among cattle dealers that there is any fear of such a catastrophe.

25334. Chairman.—Mr. Campbell pointed out that competition is not only to be feared from America, but that the Argentine competition is even greater?—Yes. He said that in Canada it paid them better to keep the stock and fatten it themselves.

25335. Mr. Campbell thought the importation of dead meat from the Argentine was a more dangerous factor for Ireland?—Yes.

25336. Sir John Colomb.—Might not that be a greater menace to the small holder than to the great grazing farms, for the reason that at all events the grazing farms would get their stock cheaper?—Yes.

25337. The question of the growth of Argentine and Canadian competition might be a greater menace to the producer and rearer of cattle than it is to those whose land is used for maturing and finishing stock. Do you think so?—It is such a very complicated question. There are many factors that should be taken into account that really one can only speculate upon it. But I am not at all so afraid of cattle importation as I am of many other factors and circumstances.

25338. The way that would operate would be in reducing price?—Yes.

25339. Would not that affect the small holder who produces and rears more than the larger holder who merely matures and finishes, because the large holder on grass land could buy cheaper, while the small holder could not produce any cheaper?—Lord Dudley was speaking of the importation of fat cattle. Mr. Campbell explained that Canada would not export any stock, because fattening it at home paid better.

25340. My question was whether importation would not operate more against small holders who produce and rear than against the larger holders who would mature and finish?—Personally I think the latter would suffer most. But I think that in any system of breaking up grass land what would have to be attended to would be this. A certain proportion of grazing land should still be left in grass, so that cattle might be brought from the rearing holding to the fattening holding. If you leave a hiatus you will destroy the cattle trade.

25341. You think the breaking up of grass lands could be pushed too far—that there is a limit beyond which it would be dangerous to go in the interests of the country at large?—Yes.

25342. There is a limit beyond which it would be dangerous to pass, because of the interests of the small holders of Ireland?—Of the country at large.

25343. Mr. Kavanagh.—The income tax basis is the only one you can suggest for arriving at the net income of untenanted lands?—With the alternative in cases where the owner says that he is deriving a better income from it that he would have the opportunity of producing his books and showing his income.

25344. Don't you think it would be a good thing for the Landowners' Convention to put before us some evidence of what would be satisfactory to the landowners whom they represent as to arriving at the net income of untenanted land?—This is what they have suggested. Everything in this paper is backed by the Landowners' Convention.

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25345. Then we may take it that the income tax basis is what they suggest?—Yes, with the alternative that I have mentioned.

25346. Sir ANTONY MACDONNELL.—Is not the ultimate determining factor of the price that can be paid for untenanted land the amount that the Estate Commissioners can recover from the tenants placed on it. The Estates Commissioners are under a legal obligation to make no loss. They have no sources from which to get money to cover any loss. Therefore they can give no higher price for untenanted land than they can recover from the purchasing tenants by means of the annuity. Is not that, so far as the law at present exists, the ultimate determining factor on the whole question?—Under voluntary purchase they are exercising those powers.

25347. As the law at present stands that is the limitation upon all bargains, namely the maximum amount which the Estates Commissioners can recover from purchasing tenants?—But that is the unfortunate part of it, because you have the men who are purchasing acting as bears on the market and beating down the price.

25348. Assume they are acting fairly for the moment?—No man could under those circumstances. An archangel could not.

25349. Conceive it possible that angels have come down and are sitting now in Upper Merrion-street. That would be the ultimate point to which they could go, namely the money which they can recover from the purchasing tenants?—It would be impossible by reason of the conflict of interest to strike the happy mean without injuring both parties.

25350. And the amount which they can recover is the annuity which they fix. That annuity is fixed with reference to many contingencies. They have in fixing the annuity to consider all the vicissitudes of seasons and so on for 68 years; and in all this there is a large element of uncertainty entering into the work?—Yes.

25351. On your basis, namely the basis of the income tax assessment which is 33 per cent. above the valuation the amount which you would require to purchase then would be over £3,400. If the poor law valuation is £100 and you add one-third to get the income valuation that gives you £133, which you want to capitalise at 3½ per cent. when you deduct 10 per cent. for it from it for cost of collecting the grazing rents. That would leave about £120, and £120 capitalised at 3½ per cent. would be over £3,400?—That would not be an unreasonable amount.

25352. Do you think if property were sold on these terms to the Estates Commissioners they could recover £3,400?—I have no doubt whatever they could. Of course it is a question of speculation, but I would not be afraid to back it.

25353. Hitherto we have considered it very high when the purchase of untenanted land went over 30 years' purchase?—You buy good land when you buy grazing ranches.

25354. You may take it that the quality of the land is represented on the basis of the assessment?—Not equally on the basis of the assessment. I may say with reference to one matter that you mentioned, the Estates Commissioners have certainly a great many considerations, as matters are working now to give due weight to before they can decide on the price at which they can buy land, and as you put it they have to look to the security of the State and whether the tenant will be able to pay, and all that. But all the considerations as far as I know that have to weigh with them all operate on the side of beating down the price for the owner except one. That one is the abstract view of doing justice between man and man. When it comes to these critical views, with the Treasury poking them behind, the abstract view is very likely to be discounted. There is a difficulty in occupying the position they do. With the best intentions I don't see how anyone could do it fairly.

25355. CHAIRMAN.—You now come to your concluding paragraph?—In criticising the methods of the Agricultural Department I would not wish it to be thought that I undervalue their work. On the contrary, I think it most useful, and in many respects successful, but I consider that the Congested Districts Board is certainly more suitable for congested districts. In conclusion, I may say that if confidence in the tribunal be restored and landowners are offered a fair price for their land, and the delays, hindrances, and losses now incurred removed, there will be an abundant supply of land offered for sale. Sales will go through more quickly, and the country be more satisfied than otherwise is likely to be the case.

25356. Sir ANTONY MACDONNELL.—Confidence will be restored; that is the confidence of the landlords?—Yes.

25357. Do you think do the Estates Commissioners enjoy the confidence of the tenants throughout Ireland as a body?—I could not answer for them, but I am not at all sure that they do.

25358. You are not sure that they do?—The tenants of Ireland are very intelligent men as I find going through the country, and wherever I made inquiries as between the Congested Districts Board and the Estates Commissioners I found that whichever was giving the lower prices was considered the better body by the tenants, and they said that they preferred that body to buy.

25359. Is it to be understood that they get better terms from the Congested Districts Board than from the Estates Commissioners?—No; but between both parties there is variation. This little variation was sometimes on one side and sometimes on the other, and in whatever district I went I found that the men always backed the lower.

25360. I don't want to force the argument; but that is an argument in favour of having only one body?—I don't think that. It is some accidental variation of price.

25361. Or is that objection a proof that the Estates Commissioners do not enjoy the confidence of the tenants?—If they did I suppose that they would always back them.

25362. May I take it you are really not prepared to say that the Estates Commissioners do not enjoy the confidence of the tenants?—I don't speak for the tenants at all.

25363. My query is as to the tenants. You say if the confidence of the landlords be restored in this tribunal; therefore I understand that at present the landlords have no confidence in this tribunal?—Certainly not.

25364. Then as to the tenants?—I don't speak for them. I only gave it as my opinion. A few questions have been allowed to stand over. Sir Antony asked me a question about a Drainage Board.

25365. It is a very important matter. We have a report from an important Commission that sat upon that subject. If you would prefer to give me a little memorandum for the Commission I think it would be better?—I will with pleasure. You also brought against some evidence I tendered some evidence Professor Campbell had given. At the time I had not read it. You were good enough to say it might stand over until I had read it. I have read Professor Campbell's evidence very carefully, and I think if the same question had been put to him as to me probably he would have answered very much in the same way. You will notice in reply to one of the queries put to Professor Campbell he hesitated to answer it, because he did not think it was a fair question to put to an agricultural expert as referring to economical principles, and I think that indirectly Professor Campbell in his replies which were chiefly given from the standpoint of his experience as a professional agriculturist does not differ from me in what he said about the grazing lands. He began his evidence by omitting the Meath lands as I did, and all similar grazing lands, but when the question was put whether the Meath lands could not be cultivated he said of course they can, but for the first four or five years at a loss. He was speaking as an agriculturist.

25366. CHAIRMAN.—Did that apply to cereals or root crops?—You must have both if you have one.

25367. Suppose you till a field in Meath and plant it for the first year with roots, if the cereals were put in next year upon that land they would be less liable to lie down, as Professor Campbell suggested they would if you started by growing them straight off?—That is a method of agriculture very seldom adopted. There are objections to that class of agriculture. Really what determines whether land is in grass or in tillage is the current price of oats. You find that whenever the price of oats goes much below eight pence a stone—that would be something like five shillings a cwt.—land goes out of tillage for this reason. In all proper systems of tillage you are bound to have two cereal crops in rotation. You first have oats. Then you have to manure for a manure

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crop, and then you have oats again, or you can put it in potatoes, and you will finally lay it down in grass. You must have two cereals or oat crops in rotation.

25368. But the case of Meath would be rather different from ordinary land?—It is rich, good, strong land.

25369. Rich, strong land, and you would have to take some of the strength out of it before growing cereals properly?—Yes. But being strong land, it will grow oats and grow good straw, and there would be some profit on that, but it would do much better as grass land than under tillage. I want now to refer to the clearance of titles in land purchase.

25370. Sir ANTONY MACDONNELL.—We did not touch that?—No; I had not time when preparing the evidence, but it just occurred to me. It is an important matter at present. There is very great delay, and I have no doubt avoidable delay in clearing titles. It is such an intricate matter that it has often been thought that attempts to settle it by Acts of Parliament would result in grief. You must go through the whole thing. We have no register of titles to enable it to be done to any extent.

25371. You have?—It has only been in operation since 1891.

25372. The landlords have not taken much advantage of it?—They have not. I suppose the present purchasers are registering there now.

25373. I wish they would?—They should be made to.

25374. That is a long argument?—Yes. I think two remedies might be applied to expedite the registering of titles. One is the provision of an indemnity fund. That already exists for the Land Judges Court. That in the new registry of titles that Mr. Brougham Leech presides over works very well; and the funds could be produced by a small percentage on the purchase money of the owner—five shillings in the £100 I think is what it is when one of these courts forms an indemnity fund. So the lawyers don't bother about going into every little collateral branch of genealogy 100 years ago or something of that kind, which they have to do now. Wherever the indemnity fund now is it is liable for any contingencies that may unexpectedly occur in the way of claims being made for land parted with. It is found to act very well in certain countries. I am sure the owners would be very glad to pay the fee I have mentioned to save delay and cost. It occurred to me if it could be done it would be a very desirable thing for the new migrants who are to be put on land if the lands could be retained a little time in hands, as the Congested Districts Board does as an inducement and encouragement to the men to till. Because what I am afraid you will find to be the case to a large extent will be they will simply obtain a living out of it in the easiest way possible.

25375. That consideration is very fully before the Congested Districts Board?—Then I need not refer to it.

25376. I may tell you as regards the registry of titles that a Bill as actually drafted?—I am sure it will be very useful.

25377. You make some remark regarding clearing the equities?—Yes.

25378. I think you are under some misapprehension when you suggest that the Congested Districts Board would have power to clear the equities. It is the Registrar of Titles who does this. It is a judicial act?—What I meant was that the Congested Districts Board should be afforded the means of clearing the equities, or that they should be given to whatever the right department is, for the equities are very intricate things when you divide the land.

25379. Most intricate, and it is very desirable that it should be done. The Estates Commissioners have power to clear those equities. That power is given under Section 12 of the Act, but they are a quasi-judicial body. They can transfer the equities from one holding to a new holding. We cannot, unfortunately, and we are very greatly hampered?—But the same power could be given to you of course. A court could give it to the Congested Districts Board.

Most Rev. Dr. O'DONNELL.—We have a provision through a court, but it is very cumbersome.

25380. Sir ANTONY MACDONNELL.—We apply to the Registrar of Titles, who does it, but, as his lordship says, it is a long process?—There was a case mentioned by Mr. Bryce of the Pelham-Clinton Estate, where there was an offer at twenty-four years' purchase, and it was finally sold for seventeen. I have inquired into it, and I am not going to give any evidence on it, because you will get evidence on it in the South of Ireland. I will simply say it was a case similar to the Townawilly Estate, where rent was not paid owing to combination, and they beat down the price so that it is not to be taken as normal. There is one other matter that I desire to allude to on the subject of the formation of a tribunal to exercise compulsory powers to fix the price of the landlord's interest in his land, as propounded by Sir Antony MacDonnell in queries addressed to Mr. Commissioner Bailey from No. 16913 to 16930.* The Landowners' Convention desire it to be distinctly understood that they dissent from the views there put forward, and acquiesced in by the witness. Furthermore they regret they cannot agree with Mr. Bailey in his replies to queries 16873 and 16874, in which he claims that the Estates Commissioners possess the confidence of the landowners in Ireland.

25381. I asked a series of questions with the object of learning the views of these gentlemen as to a suitable tribunal for compulsory acquisition of land, and they seemed to think that they themselves form a suitable body?—Yes.

25382. And small blame to them if they thought it?—Quite so.

25383. But you must not take it that I am of that opinion myself?—I am glad to hear it.

25384. I am not merely putting questions to ascertain their views. I am strongly of opinion myself that there should be a final judicial tribunal to arbitrate upon price in cases of compulsory acquisition. I consider that it should not be done by an executive body finally?—I could not form an opinion from the questions as to what your views were.

25385. CHAIRMAN.—I wish, on behalf of the Commissioners, to thank you for the excellent and prolonged evidence you have given. That evidence in many cases dealt with controversial matter, and led consequently to sharp criticism and examination; but I think we have all recognised the extreme frankness and courage with which you have given your evidence. On behalf of the Landowners' Convention and myself I thank you and every member of the Commission for your kind and patient hearing of what I have had to say, and the very full opportunity afforded me of presenting our case to you.

Mr. JOHN FITZGIBBON examined.

Mr. John Fitzgibbon.

25386. CHAIRMAN.—We understand you represent the United Irish League?—I am a member of the United Irish League and occupy a seat on the Central Council. I was deputed by that body to give evidence before you.

25387. You are Chairman of the Roscommon County Council?—Yes. I was also a member of the Land League, which I joined in 1880 and of the National League, which took up the same work after the suppression of the Land League in 1883. The programmes of each of those organisations so far as they related to land, have been similar.

25388. I do not want to labour the matter, but do you say that the agrarian policy of the United Irish League is similar to that of the Land League?—I will show you it is. The wording of the constitution of the United Irish League, so far as it relates to the land, runs—The abolition of landlordism in Ireland by means of a universal and compulsory system of sales of the landlord's interest. The tenant's property to be honestly excluded in the assessment of the valuing of this interest together with the reinstatement of tenants evicted in connection with the land war and the restoration to the legal status of tenancy of caretakers and future tenants whose rights were sacrificed by the operation of the 7th section of the Land Act of 1887. The putting an end to periodical distress and famine in the West by abolishing, on terms of just compensation to all interests affected, the unnatural system by which all the richest areas of that

* See Appendix to Third Report of the Commission [Cd. 3414, 1907], p. 191.

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region are monopolised by a small ring of graziers and restoring the people to the occupation of those lands in holdings of sufficient size and quality. The programme of the National Land League, founded by Mr. Michael Davitt and supported by Mr. Parnell and his colleagues was as follows:—"To watch over the people it represents and protect the same as far as it may be in its power to do so from any unjust or capricious exercise of power or privilege on the part of landlords or any other class in the community. To resort to every means compatible with justice, morality, and right reason which shall not clash defiantly with the constitution upheld by the power of the British Empire in this country for the abolition of the present land laws of Ireland and the substitution in their place of such a system as shall be in accord with the social rights and interests of our people, the traditions and morals of our race, and which the contentment and prosperity of our country imperiously demand." The two organisations aimed at the same object—the creation of a peasant proprietary and a more equitable distribution of the grass or untenanted lands. In the early fifties there were other agrarian organisations, which were not conducted in broad daylight. They were known as the Ribbon men, Whiteboys, and Molly Maguires, and were the sequel to the clearances following the famine of 1846 and 1847, and their efforts were devoted in a hopeless endeavour to compel men to give up the lands from which the people were evicted. Some of those evictions were made previous to the passing of the Encumbered Estates Court Act of 1849, but it was after the passing of that Act that the greater part of the clearances took place. There was then no constitutional organisation in Ireland, and men driven to desperation had no hope except by visiting the houses at night for the purpose of deterring those who were helping the landlords in those evil days. In some instances, when large tracts of land were laid down for grazing purposes after the people were evicted from them, they were dug up at night as a mark of the people's indignation against such wholesale clearances. The result of all those evictions was that the people had recourse to taking the law in their own hands, and sought revenge on the evictors and their abettors. Hundreds suffered penal servitude for those deeds, and from that period no constitutional movement of any magnitude existed until the founding of the Land League on the 16th August, 1879, in Mayo. I should not omit mentioning that a few years previous to the founding of the National Land League an organisation known as the Tenants' Defence Association was founded by the late Mr. Mat. Harris and Mr. James Kilmartin, both then residing in County Galway, but that was of rather a local character, and their efforts to make the tenants combine were not effectual.

25389. Sir Antony MacDonnell.—You say that before 1879, before the foundation of the Land League, no constitutional organisation existed?—Yes; none of any magnitude.

25390. Did not the Act of 1870 arise from some constitutional organisation?—No; it was to the Fenian organisation of 1865 and 1867 that you attribute the Act of 1870.

25391. You would not consider the Fenian organisation of 1867 as having an agrarian aspect?—Well, no. To proceed with my statement it took the failure of the potato crop in 1879 and the sudden falls in the price of cattle brought about by the importation of American beef to bring home to the small and large tenant farmers the necessity of keeping a firm grip of their holdings. From the passing of the Encumbered Estates Court Act to the founding of the Land League Ireland lost 2,500,000 of her population, and according to Mulhall's dictionary of statistics, 190,000 families, comprising 950,000 people, were evicted in three years following the passing of this Act. I can remember myself the Pollock clearances, where, in one district, comprising only a portion of his estate, over 1,100 families were evicted, and not for non-payment of rent but simply for the purpose of consolidating the holdings and turning them into vast grass ranches in which condition they are to be seen to-day.

25392. Sir John Colomb.—Can you give me the date of that particular case?—It was from 1853 to 1855.

25393. In those two years, you say, those clearances were carried out in this particular estate?—Yes.

25394. Mr. Kavanagh.—Where is that situated?—In County Galway.

25395. Mr. O'Kelly.—To this day you can see traces of the old divisions of the holdings?—Quite so. I do not know you can see them so well on the Pollock estate, for he took very good care to erase all trace. He used the stone of the houses for building walls, and he introduced a system of agriculture. He was a Scotchman, and he thought he was coming over, from his point of view, as a benefactor.

25396. Mr. O'Kelly.—There are traces of the sod ditches to this day?—Yes, but not so great as on some other estates.

25397. Sir John Colomb.—He was a Scotchman, I think?—Yes. He was a Scotchman. In November, 1879, in the town of Roscommon, at a large meeting of the tenant farmers convened for the purpose of seeking a reduction of rents, Mr. Parnell proposed a basis of settlement to the Irish landlords by offering them twenty years' purchase on the Poor Law valuation. Two or three landlords belonging to the county were on the platform. They made rather light of the offer. Mr. Parnell turning round remarked that a day would come when it was more than probable they would, if his offer then was not accepted, receive less. In 1880, speaking at a larger meeting in Kilkenny, Mr. Parnell makes use of the following language:—"I am one of those who believe it is impossible that the institution of landlordism with such a history as it has had in Ireland can possibly survive. He believed that it was not possible to obtain from the State a system of partnership between the landlord and tenant in the soil. One of them must go. The evidence of the uncultivated though fertile fields which they saw in such vast tracts in every part of Ireland, with scarcely a single inhabitant, with nothing to show that they were even populated except the ruins they saw in every direction of the once happy and peaceful homes that existed there, was sufficient evidence for them to see the absolute necessity that exists of getting the people on to the land so that they may make it produce what it is capable of producing, and if the ownership of the 10,000 landlords has depopulated those lands and put them back into a state of almost original nature is it not high time that this ownership should cease and give place to a system of land tenure that will allow the land to be properly cultivated. Let them then, he said, have their powers directed to bringing about a proper system of land tenure in Ireland. Do not waste their resources in endeavouring to prop up a system of landlordism, but work for their right, and that right is that the man who tills the soil may own it. This has been tested before in other countries and every other country where feudal land tenure existed they have substituted ownership for it." For those speeches and others of a similar character delivered by Messrs. Parnell, Davitt, Dillon, and others, prosecutions followed, and a State trial occupying many weeks took place in 1880. It resulted, I believe, in a disagreement among the jury. At all events, there was no conviction. A fierce agitation existed at that time in Ireland and from its results may be attributed the introduction of the Land Act of 1881, preceded by Mr. Foster's Coercion Act. It has been the fashion that remedial legislation in this country, at least towards Ireland, has been preceded by Coercion. I recommend the members of this Commission to carefully read over the speech of Mr. Parnell at the introduction of the Land Act, 1881, and the speeches of him and those who represented the Nationalist Party in Ireland on the second reading of the Bill. You will find in those speeches that they one and all tried to force their views on Parliament that there was but one way of permanently settling the land question in Ireland and that was by the expropriation of the landlord and placing instead a peasant proprietary. But Ireland's voice was not paid attention to. Mr. D. O'Conor, then member for Sligo, and brother to the late O'Conor Don, said on the second reading of the Bill that the real cause of the present agitation in Ireland was the fact that the bulk of its people saw that the landlords were a small fraction of the community, differing in class, feelings, and in opinions from the vast majority of the nation, and what the country required was a large increase in the number of occupying owners. He did not belong to the Nationalist Party and he was a landlord. Mr. John Dillon had no opportunity of speaking on the second reading of the Bill for he was placed safely under lock and key by Mr. Foster for advocating the rejection of the Bill, but he believed it was not a settlement of the question and that it was

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better to wait until a Bill conferring absolute ownership on the tenant would be brought in. During those debates on the second reading of the Land Bill several English and some Scotch members advocated a system, on a large scale, of emigration to America or Canada from the congested districts, and in dealing with those suggestions I believe some facilities for emigration were introduced in the Bill. Mr. Parnell dealt with emigration in his speech on the first reading of the Land Act. I will just quote part of his speech. He said "Without venturing to discuss the main provisions of the Bill, he regretted the Government had adopted the principle of emigration instead of migration. If they had given power to the Commission they proposed to form, to purchase land in Ireland, the Commission would be able to find plenty of improvable land in every county where a congestion of the population existed for this purpose of planting, or migrating the tenants from other districts. In Mayo, for instance, where the people existed in the most miserable condition on small mountains with bog farms, there was plenty of land which such a Commission could purchase, and stock with tenants after they had sold their interest in their own wretched holdings, under the provisions of the proposed Bill. That, at any rate, might have been given as an alternative to the emigration scheme. His own opinion was that every man in Ireland at present was required there for the purpose of developing the industrial resources of the country, and while he was unwilling to say that emigration should not take place from Ireland, he considered it ought to be a natural movement of the people, such as prevailed in continental countries. There was another matter cognate to this subject to which he wished to allude, namely, the Irish labourers. Their condition was admitted to be most wretched, and they had no future before them. He should have thought the Government would have given the Commission power to buy land to settle labourers upon it in certain districts where they might find employment, and so render them less dependent on employers. He hoped the Government would give their earnest attention to these two matters before the committee stage. With regard to the main features of the Bill he would not at that moment give any opinion as to whether the proposed arrangements for the courts were workable or not. His opinion in times past was that it was extremely difficult, if not impossible, to reconcile the respective interests of landlord and tenant in the soil, and that any friction, however slight, would destroy the practical utility of such a scheme as that proposed. This was the opinion of the Land League, which believed the true solution of the land question was to enable the occupiers to become owners. Whether the right hon. gentleman had solved the difficulties of this great question was a matter on which he did not wish to express an opinion."

25398. Sir ANTONY MACDONNELL.—When was that speech delivered?—On the introduction of the Land Bill, on April 7th, 1881.

25399. So that Mr. Parnell anticipated by twenty-five years what has now been done?—Yes. Mr. John Redmond, dealing with the same subject of emigration, in a speech on the second reading of the Bill, said he objected to that part of the Bill which afforded increased facilities for emigration. If any reason could be assigned, it must be that the process was too slow. His answer was that within the last twenty-eight years over 2,500,000 men and women left the shores of Ireland. Last year 100,000 emigrated, and of these 75 per cent. were between the ages of fifteen and thirty-five years. What nation on earth could stand such a drain as that? But why, said he, should they leave while there were in Ireland thousands of fertile acres without a homestead, and thousands of acres of reclaimable land. It was cruel mockery to the Irish people to offer them increased facilities of emigration. Ireland's representatives were accused in those days of making extravagant demands, of being actuated by no other motive than that of keeping alive an agitation. Ireland's representatives were not taken into account in the framing of the measure. No attention was paid to their representations at the time of the Bill, though Mr. Parnell pointed out that there was no better way of keeping alive or fanning the agitation than by supplying half remedies to admitted grievances. Mr. Herbert Gladstone, in addressing his constituents at Leeds, avowed, after the Bill was introduced, that the Government would resist all amendments emanating from the Land League members. The unchanging character of the programme of twenty-eight years constantly placed before the people of this country for the settlement of the land question in Ireland can be judged by perusal of the debates on the several amending Bills up to and including the one of 1903, and prove the practical unanimity of Irish feeling all through these periods as to the nature of the settlement that was demanded, and what is now only partially secured by partly adopting the programme originally laid down by the Land League. To finally settle this question in accordance with the views of those best able to estimate the needs of Ireland is, I hope, the object of this Commission. From the evidence that has been given by those well versed in the needs of the Irish peasant, and from the composition of the Commission itself, it is to be hoped that half measures will not be its recommendations, or in any way the nature of its report. The organisation I have the honour to represent has entrusted to my charge its views as to the methods that ought to be pursued in the final settlement of not alone the land question in the West, but the land question in the four provinces. You have already the headings of the evidence I propose to give, but should you desire to ask my opinion on any other matter arising out of the evidence of witnesses that have been examined, I shall be happy to give it. In many matters I agree with Mr. Finucane, whose evidence I have carefully read over, but in some I differ from him. With the generality of Messrs. Doran's and Bailey's evidence I am in accord, and I am of opinion that by the co-operation of every patriotic Irishman those three gentlemen can have no difficulty in settling this great question finally if the State supplies them with the necessary means. But they must to a great extent seek that co-operation. Before I proceed to No. 1 may I be permitted to point out what this twenty-seven and a half years has cost the people of this country as well as Ireland—this strife between the State, the landlords, and the people, the State and the landlords always going together, and the people standing by themselves—what this has cost the country, has cost the landlords themselves, as well as the taxpayer and ratepayer in the amount of suffering, eviction, and imprisonment and, I regret to say, murders. No greater argument could be adduced to prove the—I was going to say incapacity—but I will say the unsuitability of Englishmen and the English Parliament to deal satisfactorily with questions relating to Ireland than is to be had in its repeated attempts to settle this question, and after all that time now to have to fall back on this Commission to find out exactly what is the matter. The sensible conclusion to arrive at is that those twenty-six or twenty-seven years have been wasted in a constant expenditure of public money in endeavouring to bolster up a system objected to at its inception by Ireland's representatives, persisted in by those not representing Ireland or Irish views, and leaving Ireland in such an unsettled condition that the community at large have suffered through the continued tide of emigration of the manhood of the country. The object in bringing these facts under the notice of this Commission is to point out to some of its members who may not be too conversant with the question with which they are dealing, that in the interest of landlord and tenant, England and Ireland, for the welfare of all, it is absolutely necessary to settle this land question finally on such lines as will undo, as far as possible, the wrongs of centuries by not alone making the present occupants of holdings the owners, but bringing back to the land of Ireland the descendants of those who in evil days were driven off them. The programme, then, of the United Irish League is to have an equitable distribution of the grass lands or untenanted lands brought about by compulsory purchase—that is where voluntary sales fail; that all tenanted lands be acquired through the same process, provided that voluntary arrangements cannot be carried out. But in order to have uniformity and uniformity of prices sales, in my opinion, should be conducted generally through the Estates Commissioners or the Congested Districts Board, and let either body fix the prices. Uniformity of price, taking the value that each tenant is going to receive, cannot be carried out through direct sales, as in cases that came under my own observation all rents fixed as either first or second

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term rents are not uniform. On some estates tenants had their rents fixed much more favourably than on others, due to causes that I will explain later on. While the basis of purchase in those two classes was not similar, the tenants are often hoodwinked into giving larger prices than they should by the stronger tenants on the estate who hold large-sized holdings, and whose need for improvement in either the shape of drainage improvement to his homestead, or an increase in the size of his holding is not so great. I have read a good deal of Mr. Boyd's evidence in abstract, and listened to him on Wednesday and Thursday, and to his pleadings on behalf of the Irish landlords, and dealing with the matter of encumbered and non-encumbered estates, and his contention that the same price should be paid for each. I beg now to point out that the price mentioned, twenty-three years' purchase of second term rents, is considered too high, particularly for land in the West. And should the Commission recommend such a standard as necessary to secure the landlord his net income, and that under a compulsory Bill that price is paid, it will be necessary to create another bridge by which the tenant placed under that class of landlord shall purchase his land as low as the tenant living under the encumbered. In my opinion the landlords have received two or three sets of bonuses under the Act of 1903.

25400. Sir Antony MacDonnell.—Just for one moment. You say twenty-three years' purchase. Did Mr. Boyd say twenty-three years' purchase? He said it the first day, but I think he corrected himself.

Sir John Colomb.—He took as the basis for a comparison between the encumbered and the unencumbered estates, twenty-three years' purchase.

Chairman.—Would you like to stop your statement where you are for a little while we ask you a few questions?

Sir Antony MacDonnell.—I think Mr. Boyd corrected himself and said that the basis on which he proceeded finally was that the gross rent, say of £100, minus 10 per cent., the cost of collection, would leave £90, which was to be capitalised at 3½ per cent., and that that was the way it was to be done.

Most Rev. Dr. O'Donnell.—The important point would be, in Mr. Fitzgibbon's view, the number of years' purchase the tenants can give.

25401. Chairman.—Let me ask you a few questions?—If you would allow me to finish one particular portion of my evidence where I deal with the bonus. I will be only a few minutes. I say, in my opinion, the landlords have received two or three sets of bonuses under the Act of 1903. There was not a landlord in the West of Ireland whose estates were encumbered that would not have gladly accepted, previous to the passage of the Act, twenty years' purchase on second term rents.

25402. Sir John Colomb.—Is that a quotation?—No, sir, that is my own opinion, and I will supplement it with evidence.

25403. Mr. O'Kelly.—You had a lot of experience of these landlords, and you had some opportunity of knowing their views?—Yes, and there are some agents now listening to me who would have been very glad to sell at eighteen years' purchase. The tenants would not buy. The financial arrangements in substituting 3¼ interest instead of 4 per cent. as the amount at once raised the price, and though the article offered for sale was in no way improved in value, the tenants agreed to higher prices because the annual payments taking the place of rents showed a substantial reduction though the holding under the new Bill had no increased earning power. Therefore I maintain that the new financial arrangement was the fair equivalent to the depression in the price of land stock from 110 for the landlords. It has been asserted by the landlords that the 12 per cent. was to make up for the depreciation in the price of land stock, which was selling at 110, and fell to 98 or 96, or whatever it was. But I maintain that the alteration in the financial arrangement gave them that difference without any bonus.

25404. Chairman.—What do you mean when you refer to 12 per cent.—That is the bonus.

25405. Sir Francis Mowatt.—You mean, I think, by that, that it encouraged the tenant to offer a higher price?—Quite so, and therefore the landlord got it.

25406. Most Rev. Dr. O'Donnell.—The increased number of years' purchase more than corresponded with the depreciation in land stock?—Unquestionably. It was certainly an advantage to be moderate—an advantage of four years' rent to the landlord.

25407. Sir John Colomb.—Might it not also be taken into consideration, the difference in the rate of interest on the advance the tenant was to pay?—That is what I say. Of course the interest was the same. It was simply the annuity for the re-payment of the loan was made smaller.

25408. But what the tenant has to pay is not the same?—He pays 3¼ per cent. for sixty-eight years instead of 4 per cent for forty-nine years.

25409. Sir Antony MacDonnell.—Then your point is this, that owing to the reduced interest which the tenant has to pay he was enabled or induced to pay the landlord a higher price?—Quite so.

25410. That is not bonus. In addition to that higher price you say the landlord gets the bonus at 12 per cent.?—Yes.

25411. Therefore you say the landlord gains on these two things—by the higher price and the addition of the bonus?—Yes.

25412. Chairman.—I really do not quite see why you say that the change from 4 per cent. to 3¼ per cent. led to an increase in price. Will you explain, because I do not quite follow. Tell me exactly why it was?—Well, take a man whose rent was £10. He bought at 15 years' purchase. That was £150. He had to pay 4 per cent. on that. His annuity then was £6. Under the new arrangement he pays twenty years' purchase. That is rather a high figure. That is £200, and his annuity now is £6 10s.

25413. In the second case of twenty years' what do you say the annuity would be now?—The landlord, in the first case, gets £150, and in the second he gets £200. In the latter the annuity is not quite the same; it is more, but take eighteen years' purchase. That is £180 that the landlord will get, and the annuity will be £5 17s. The tenant, under the former arrangement, paid £6, and under the later arrangement he paid £5 17s. So that actually the tenant's annuity, under an arrangement of eighteen years' purchase, is less than under the former arrangement at fifteen years'. Then the difference goes entirely into the landlords' pocket.

25414. Then your point is, because a tenant is able to pay as small or a smaller annuity than he did before, and at the same time pay a larger capital sum to the landlord, that he is willing to pay that larger capital sum?—Yes; he agreed to do it.

25415. He has agreed to do it and he does it?—Yes, and of course very cutely the landlords' agents through the country in negotiating sales very seldom mention the number of years' purchase.

25416. To carry the thing further, I am only asking for information, taking a holding of that sort on your own figures, it does not appear to me apparent at once why the tenant should not give that £30 more. It seems to me rather good finance—that the landlord can get a better price, and the tenant has not to pay more?—Of course he has ultimately to pay more.

25417. But not immediately?—Not immediately, but he is leaving a legacy to those who come after him.

25418. Before that, or in the other case he paid £6 for forty-nine years?—Yes.

25419. And now he pays £5 17s. for sixty-eight years?—Yes, the landlord of course in no way partakes of any risk for sixty-eight years.

25420. That reduction of the annuity is arrived at by extending the repayment term?—Certainly; so that from that view of it—from the point of view of the tenants—the financial arrangement entirely goes into the landlord's pocket. That is the benefit of the new arrangement, because if you take the prices that were generally obtained in the country previous to the passing of the Land Act of 1903 with the prices obtained since, you will find a difference on lands bought under the Ashbourne Act and those bought under the 1903 Act of, in most cases, more than three years.

25421. Of a difference?—Yes; and I go further, and say—I heard Mr. Boyd state, and it has been asserted by Mr. Wyndham in the introduction of his Bill, that we had come practically to the bottom of the well in the way of landlord settlement. I would just submit on the part of the tenants this—that if you go and take through the country every solvent landlord who sold and the price they sold at, and compare it with what the tenants have been paying, you will find out that the difference is what I state.

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25422. Sir ANTONY MACDONNELL.—With reference to the answer to that statement of Mr. Boyd, I thought you were going to give your answer to Mr. Boyd's statement that you had come to the end of saleable property at the end of 1902, and that that was the reason that sales had diminished. What would be your answer to that—that you had come to the end of all saleable property at that time?—No, I do not admit that, but to support my argument in this case I say, do not mind going to the bankrupt landlords that sold before the Act of 1903, but go to the solvent landlords who did sell and who had no occasion to sell, and compare their prices for the same quality of land with the prices that have been paid since the passage of the Act of 1903, and you will find that there is a difference of at least 20 per cent.

25423 CHAIRMAN.—Let me put it like this. Supposing for the sake of argument we admit that since the Act of 1903 there has been an inflation of prices which, according to your opinion, is measured by three years' purchase. The point on which I would like your opinion is his. Do you consider that an inflation of prices was necessary to keep land purchase going?—Well, I daresay that the price that the landlords were willing to sell at, and the prices that the tenants were willing to buy at under the Ashbourne Act in my part of the country required a breeze.

25424. In other words, that there was some reconstruction necessary?—Yes, but I believe, following that, that the change in the financial operations would have been sufficient to bring any amount of estates into the market.

25425 The change in financial operations by which you mean the bonus?—Yes, without the bonus

25426 But you were not considering the bonus then? The point I wanted to get at was whether you were of opinion that the inflation of prices caused by the Act of 1903 was a necessary inflation, whether, in other words, without inflation purchase in Ireland had practically stopped?—Oh, it would be slower, but I do not say it would be stopped.

25427. You have seen the figures of the decline, I suppose? It would be impossible, I suppose, to dispute the figures which show that there was a considerable falling off in the number of originating statements and purchase agreements?—Yes.

25428. Then you go on beyond that and you say that although you admit that a reconstruction was necessary, in your opinion the difference between the 4 per cent. and the 3¼ per cent. would have been in itself sufficient without any bonus?—I think there are a number of Western estate owners who would have been very glad to sell without any bonus.

25429. Most Rev. Dr. O'DONNELL.—Would you put it the other way, that after the bonus had been given there would have been no need to increase the number of years' purchase?—Yes, you can put it that way.

25430. The 12 per cent bonus would compensate for the depreciation of Land Stock?—Yes, that is so.

25431. Mr. O'KELLY.—Suppose the Land Act of 1903 had not been passed, but that a simple measure was passed giving the bonus to former Acts, do not you think there would be a great stimulus to purchase?—Yes.

25432. Most Rev. Dr. O'DONNELL.—Besides the difference between 3¼ and 4 per cent, was not there also an important inducement to landlords in the power to buy back their demesne lands?—Yes, the advance of public money for buying these, and also for legal expenses. Those are the bonuses I say the landlords have received. First, the bonus in the financial arrangement—that is unquestionable. The question has been one, perhaps, of far more importance to them than even the 12 per cent. bonus, which is the second one, and then the third is the buying back after sale of their demesne lands.

25433. Sir ANTONY MACDONNELL.—Do you accept the principle of the Land Conference, namely, that landlords should get their net income invested, let us say, at 3½ per cent. The Land Conference said 3¼. We have it now from Mr. Boyd that the Landowners Convention would be content with 3½ per cent Do you accept that as a working principle that landlords should get their net income based on second term rents minus 10 per cent., cost of collection, and soforth, capitalised at 3½ per cent.?—We don't accept that, because we think in the first place that the net income would not realise that.

25434. Would you take second term rents as a basis for the calculation?—I would say that the net income on second term rents, as far as my experience goes, does not realise that amount.

25435 In other words, you think a larger deduction than 10 per cent. should be made?—Decidedly. The deduction should represent the deduction that in my opinion might be made in their income.

24536. Would you take second term rents as a proper basis of the calculation?—Yes.

25437. From that a deduction should be made for cost of collection?—Cost of collection and bad debts

25438 Ten per cent was mentioned by Mr. Boyd and the Land Conference. You think it should be a larger percentage?—Yes.

25439. What percentage?—About fifteen, and I say that that would be moderate.

25440. Would you accept that as a proper basis of settlement—second-term rents, minus 15 per cent.; the remainder to be capitalised at 3½ per cent. interest?—Yes; but not for Western estates.

25441. We are not talking about congested estates, but other estates?—Yes.

25442. Generally throughout the country?—Generally throughout the country.

25443. You think it would be a fair basis of settlement?—Yes; if you were to introduce compulsory methods.

25444. Have we that from you as representing the United Irish League?—You have it as my own opinion.

25445 As a fair basis for the purchase of land outside congested districts, you would take a sum which, invested at 3½ per cent., would yield their net incomes in second-term rents, less 15 per cent., that is, 85 per cent. of their income on second-term rents?—The Land Conference undertook to give the landlord his net income. That applied to encumbered as well as unencumbered estates. If you work that out, as was pointed out yesterday, some landlords would receive less and others would receive more. The unencumbered men would receive more than the encumbered men. Now, what you wish to convey is that if you wish to carry out the recommendations of the Conference, which are looked upon in Ireland as rather of a generous nature to the landlords, you will have to devote what you will make in the one case to the reduction of rent in the other.

25446. Sir ANTONY MACDONNELL.—I see what you mean clearly; but that basis was contested by Sir John Colomb yesterday and by Mr. Boyd.

25447. Mr. KAVANAGH.—That was not one of the terms of the Land Conference?—The terms of the Land Conference were that the landlord would receive what, if invested at 3½ per cent., would yield his net income.

25448. Sir ANTONY MACDONNELL.—They gave 3¼, I think?—The landlords accept it at present at 3½.

25449. Mr. Boyd, on behalf of the landowners, expressed himself as willing to accept 3½ per cent. as the basis of capitalisation of the net income less 10 per cent. The point then is: am I to understand that between you and Mr. Boyd there is only this 5 per cent of difference; that while Mr. Boyd would accept gross second term rents less 10 per cent., you would insist on a deduction of 15 per cent.?—At least; and that not to apply to Western estates or estates of that character.

25450. CHAIRMAN.—Are you speaking of tenanted or untenanted land?—Untenanted land

25451. Sir ANTONY MACDONNELL.—The Land Conference does not make any distinction?—No.

25452. CHAIRMAN.—It seems to me that there is a much greater difference between you and Mr. Boyd in that. You ask the question in regard to untenanted land, and what the witness would be willing to accept on behalf of the United Irish League.

25453. Sir ANTONY MACDONNELL.—I meant all lands. I wanted to get a general working rule. First there were the Land Conference terms; then Mr. Boyd's modification; and now I want to get Mr. Fitzgibbon's view?—I think if you will allow me to correct myself I should say that there is a loss of at least 10 per cent. on bad debts.

25454. CHAIRMAN.—Would you not be prepared to allow that to be settled by inspection?—Certainly.

25455. How is anybody able to say what the amount of bad debts or anything else will be unless they see the books?—Yes; consequently I think it just as well to leave it an open question.

25456. It might be even less than 10 per cent.?—Quite so. I don't wish to be pinned to that statement, because I just find here that No. 2 bonus, that is the

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12 per cent., should be largely devoted to settling on the untenanted lands migrants from congested districts and the sons of tenant farmers under a valuation of £12 or even £15.

25457. Sir ANTONY MACDONNELL.—You say that the bonus should not go to the landlord?—I say largely devoted.

25458. Most Rev. Dr. O'DONNELL.—You are speaking of the 12 per cent.?—Yes.

25459. Sir ANTONY MACDONNELL.—It should not go to the landlord, but should be devoted to placing the sons of tenants, and so forth, on untenanted land?—Yes; as shown by the evidence given by Mr. Stewart the price of untenanted land hitherto purchased is from twenty-six and a half to twenty-seven and a half years' purchase on fair rents. The new tenant starts under higher rents, and when farm buildings and dwellings have to be provided a substantial portion of the balance ought to be set apart to erect another bridge for what you may term the new man.

25460. CHAIRMAN.—You say in your view twenty-three years' purchase is too high. How can anyone make a general statement as to what is too high and what is too low? How could you say that twenty-three years' gross purchase of second term rents is too high, without knowing the particular conditions of the property?—Quite so. That very point I have mentioned as I went along.

25461. How would it be more correct for you to say that the value of land in Ireland is twenty-three years' purchase than for me to say that the value of a Romney picture is £3,000? I should have thought that every case would depend on what you buy?—Quite so. I quite agree. Some land at twenty-three years' purchase of second term rents would be cheaper than another class of land at twenty years' purchase on second term rents; but I understood it was a general principle laid down. I was trying to meet this twenty-three years' purchase that was so often mentioned yesterday, and the twenty and a half years' purchase of the same article; and believing that this Commission might recommend that compulsory methods should be adopted I thought it right to say that twenty-three years' purchase of second term rents would be a price that would not be generally accepted as a fair price in the West of Ireland.

25462. You mean to say, if the Commission or anybody else was to fix twenty-three years' purchase as a sort of fixed standard for compulsory sale all over Ireland, that in many cases that would be too high; for bad land and so forth, that would not fetch twenty-three years' purchase?—Yes. There has been the greatest difference, as I am informed, in the rents fixed by Commissioners. I know myself—I was going to allude to it—that as a rule in the past if there was trouble on the estate it was believed that the Commissioners got instructions to kill agitation by giving greater reductions, and that where the people quietly paid their rents and submitted they did not receive as much. Consequently I think that inspection is absolutely necessary if you want to have uniformity of price carried out.

25463. Sir ANTONY MACDONNELL.—Now, in regard to that, is not the character of the soil represented in the second term rent? Is not the second term rent of bad land lower proportionately than the second term rent of good land?—Not proportionately.

25464. In giving your answers have you borne in mind that twenty-three years' purchase means a reduction of twenty-five per cent.?—Five shillings in the £.

25465. Most Rev. Dr. O'DONNELL.—You are speaking of averages?—Yes.

25466. When you spoke of twenty and a half years' purchase and twenty-three years' purchase and made a statement about them you were speaking about average rate?—Yes, between twenty and a half and twenty-three.

25467. I should like you to enumerate these financial advantages you conceive that Act of 1903 to give. The 12 per cent. bonus is one?—Yes.

25468. Then there is the power enabling owners of mortgaged estates to pay off their mortgages?—Yes

25469. Then the arrangement enabling owners to buy back their demesnes?—Yes.

25470. Next comes the relief as regards legal expenses?—Yes.

25471. And then there is the arrangement for reducing the annuity from 4 per cent. to 3¼ per cent.?—Yes. There are five advantages.

25472. Sir JOHN COLOMB.—You advocated inspection I understood in order to bring about uniformity of purchase price; is not that so?—Yes.

25473. I understood you to say that there was no uniformity in the rents fixed by the Sub-Commission?—No.

25474. But there is inspection in that case?—Yes.

25475. How do your reconcile your statement that fair rent fixed on inspection does not produce uniformity with your expectation that you will produce uniformity by introducing inspection when you come to fix the purchase price?—I hope the tribunal will be more capable than the former one in fixing value; that the Commissioners appointed to fix rents, or for inspection, when it is a matter of advancing money by the State, will be more careful in seeing that the price fixed is really the worth of the land and no more, because it is well known in Ireland that the Commissioners who fix rents vary very much in capacity. Some of them, it is alleged, and I believe truly, knew as little about land as myself, and that is not much; while others were experts, and even when these experts were taken from the landlord class there was very much more safety in the rents that they fixed than in the rents fixed by men who knew nothing at all about the matter.

25476. Am I to understand from you that you don't consider the present system of fixing fair rents one that produces the best results; is that so?—The past system of fixing rents was certainly not the best.

25477. By the past system you mean the system in operation in the past and now in operation?—I refer to the past because in my particular district very few rents have to be fixed because the properties are all sold. I don't see the operations now, but I refer to rents fixed previous to the Act of 1903. I say the Sub-Commissioners did not possess the same qualifications for fixing the price.

25478. Therefore, as I understand you, saying what you have in answer to his lordship, the Chairman, and Sir Antony MacDonnell, about the net income, inspection, and all that, you have got in your mind some form of tribunal or some Commission other than that now existing; is that so?—Yes.

25479. You, I think, were in the room when Mr. Boyd was here?—Yes.

25480. Did you hear him say that he also had in his mind, in the matter of fixing values and the amount to be given, some other form of tribunal than that which now exists?—Yes.

25481. Therefore, I may take it from you that you agree with Mr. Boyd that some new tribunal would be required to settle the values of purchase?—He was dealing with the Estates Commissioners' inspectors. I am dealing with men belonging to the Sub-Commission. I did not say that the inspectors belonging to the Estates Commissioners were not men capable of fixing the rents. I believe they are.

25482. Sir FRANCIS MOWATT.—You are discussing now no difference in the system, but a difference between the men who are to carry that system out. You don't say that you want a new system of valuation, but only that the men who carried out the system of old were of different capacities, and therefore there were cases of exceptions and misunderstandings, and you think the work should be carried out by different people?—Yes.

25483. Sir JOHN COLOMB.—You were not entering into the personal question of the Commissioners or anybody else. It was the question of the tribunal to settle this matter?—Yes.

25484. And I am to take all that you said to apply to the machinery now existing?—The inspectors of the Estates Commissioners, to my mind, are quite capable of fixing what a fair rent ought to be on land. That is my opinion. I know they are all practical men. I know a good many of them. They are all men who were cradled in the work.

25485. With reference to the interesting historical retrospect you gave us, you spoke of great clearances between 1852 and 1855?—Yes. On the one estate.

25486. And you connect that with the establishment of the Incumbered Estates Court which was established a short time previously?—Yes

25487. And you consider that the Incumbered Estates Court was mainly responsible for these great clearances?—Largely. It gave great facilities.

25488. Any large clearances like that, I presume, would result in an increase of the very small holdings for the reason that men driven from the better places would be driven to small holdings?—Yes

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Mr. John Fitzgibbon.

25489. Then can you account for this? Taking the census returns from 1851 to 1861 which cover your period, the holdings above one and not exceeding five acres diminished, the holdings above five but not exceeding fifteen acres diminished, and it was only when you came over thirty that they increased, and they then increased by only 1·7 per cent. Is not it curious that these great clearances should not show upon the census returns? Can you throw any light upon it for me?—Really, I cannot But as far as Roscommon is concerned I think the population in 1832 was 300,000.

25490. I am sticking to your own two dates?—In Roscommon and in Galway there were large clearances after the famine and the passing of the Incumbered Estates Court Act, but I know that if you take the population of Roscommon it was 300,000 in 1832, and to-day it is little over 100,000.

25491 To the fact that the Incumbered Estates Court was introduced, you, among others, attribute a great deal of the clearances and the congestion; is not that so?—Yes.

25492. The Act did not come in until about 1850. Therefore, I am bound to take the period subsequent to the passing of the Act and I cannot go back now to 1832. It was with that object that I asked you. Can you tell me? Take your own county of Roscommon?—I can easily find this out for you.

25493. Perhaps you would, so as to clear up the real causes of these great clearances. Taking your several bonuses you said that there was first the purchase of the demesne and the second bonus was the 12 per cent.?—Yes.

25494. I did not gather how you defined your other bonus to the landlord?—The first bonus was an increase in the price paid under the Act of 1903 as compared with the prices paid under previous Acts; that is an increase in the price paid to the same landlord who sold land both prior to and after the passing of the Act.

25495. You mean the same landlord receiving payment in cash after 1903 as compared with the landlords receiving stock which was appreciated; is that what you mean?—Yes.

25496. Sir Antony MacDonnell.—What I understood you to mean was the number of years' purchase?—Yes; the number of years' purchase.

25497. Owing to the reduction in the rate of interest given to purchasing tenants?—Yes.

25498. Sir John Colomb.—You describe it as a bonus to landlords?—Yes; an advantage or anything you like to call it, an advantage of which the landlords alone partook.

25499. I understand you to represent that the Act of 1903 gave three bonuses to the landlord?—Yes, or more. Three important ones and other minor ones. Suppose a landlord sold previous to the Act and that the Stock was at par. If the rent was £10 and the holding was sold at fifteen years' purchase the landlord got £150 and the tenant paid an annuity of £6. The same holding sold after the passing of the Act at eighteen years' purchase would yield the landlord £180, while, owing to the change in the method of repayment, the tenant paying the higher price would only have to pay an annuity of £5 17*s.*, though under the old arrangement when giving only fifteen years' purchase he would have had to pay £6 a year.

25500. Sir John Colomb.—I don't see where the bonus comes in?—There is £30 extra given to the landlord.

25501. Most Rev. Dr. O'Donnell.—Suppose the effect of the bonus of 12 per cent. was to neutralise the depreciation of land stock, we have then got back to the position of affairs before land stock began to decline. You have also enumerated other bonuses to encourage sale contained in the Act of 1903, covering demesne land, mortgages, and to some extent the cost of sale?—Yes.

25502. Do you wish to put to the Commission that those inducements should have oiled the wheels of purchase without the number of years' purchase going up?—You can put it in that way or the other way. I don't mind which.

25503. You say the wheels of purchase have been oiled by the increase in the number of years' purchase owing to the fact that the tenant begins with a 3¼ per cent. annuity instead of a 4 per cent annuity?—Yes; but eventually the tenant pays £180 instead of £150 for the same article.

25504. Mr. Kavanagh.—Do you think your third bonus is much of a bonus?—To some men.

25505. Is it availed of much at all?—I think it is.

25506. Selling the demesne and re-buying it?—Yes.

25507. You think it is availed of?—Certainly. Getting money on such a low percentage is of course a great advantage.

25508. I don't think it is availed of much, but I won't press the point?—It is an advantage offered, anyway.

25509. The reason twenty-three years' purchase was mentioned was that it was calculated that that price and the bonus would bring in the net income?—Yes.

25510. It was not a standard of years' purchase. It was merely to arrive at the net income which you have admitted to Sir Antony should be taken as a basis of sale less 15 per cent.?—Yes, or twenty per cent. for Western estates.

25511 I understood you to say 15 per cent. to Sir Antony?—I asked to be permitted to amend it.

25512 Sir Antony MacDonnell.—We excluded Western estates altogether. I ask you whether 15 per cent. would not do for the rest of Ireland excluding Western estates?—That is a matter that I would wish to be questioned on again.

25513. Mr. Kavanagh.—You allow 15 per cent. reduction from the gross second term rents as a fair way of arriving at the net income?—These are my own views.

25514. That is so?—Yes.

25515. Sir Francis Mowatt.—But it varies with particular estates?—Yes. We are not dealing with Western estates.

The Commission adjourned

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FIFTY-SIXTH PUBLIC SITTING.

FRIDAY, MARCH 22ND, 1907,

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir ANTONY MACDONNELL, G.C.S.I.; The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

CHAIRMAN.—I wish to read a letter which has been forwarded to the Secretary by the Estates Commissioners, who received it from Mr. James D. Crosbie:—

Ballyheigue Castle,
Ballyheigue, Co. Kerry,
20th March, 1907.

Dear Sir,—I have just had my attention called to the enclosed cutting from the Dublin *Evening Mail* of the 18th inst., and I wish most emphatically to dissociate myself from the statement of Mr. Boyd. I have had no communication with him or with the Landowners' Convention on the subject of my sale of my estate, and Mr. Boyd has no authority from me to make the statement he has done about my dealings with the Estates Commission. I have had arguments and differences of opinion with the Commissioners, but I have always received a patient hearing and the greatest courtesy from them all. Landlords and tenants alike are anxious to have sales completed without delay, and expedition is desirable, but I object to people making complaints on my behalf without my authority. I think it only fair to the Commissioners that I should make this statement. *Mar.* 22, 1907.

Yours faithfully,
JAMES D. CROSBIE.

The Secretary,
Estates Commissioners.

The cutting which is referred to is one from the Dublin *Evening Mail* of the 18th of March, and is as follows:—"Sir A. MacDonnell challenged the witness to point out an instance to justify his statement about the Estates Commissioners' partisanship. The witness replied that he based his information upon experience and upon the Commissioners' own reports. He could give no concrete instance, but there were three cases in which the landlords were dissatisfied with the Commissioners' administration, the principal one being the sale of J. D. Crosbie's Kerry estate. Speaking generally as to the administration of the Land Acts, the landlords strongly objected to it."*

MR. LINDSEY TALBOT-CROSBIE examined.

25516. CHAIRMAN.—Now, I understand, Mr. Talbot-Crosbie, that you would like to appear for a minute or two to make some statement with respect to the evidence of Mr. Commissioner Bailey?—Yes. I have reduced it to writing, which I wish to read.

25517. Yes, kindly do so. Have you got any note of the numbers of the Queries?—I have all particulars in my statement. I have made exact copies of my statement if you care to follow it. This is my statement:—I take exception to the whole of Mr. Commissioner Bailey's evidence so far as it applies to myself, it being in every respect misleading. Mr. Bailey first brings in my estate in answer to a question (16467) with reference to a "fraudulent" transaction, and goes on to say that the landlord proposed to the tenant to give him a certain sum of money beyond the actual purchase price, and then claimed a bonus on the sum total. He concludes his answer as follows: "We concluded that that was not purchase money, and it would not be right, under the Act, to give a bonus upon money of that kind." In reply to a further question (16471), Mr. Bailey says that the landlord made the case that he was entitled to a bonus on a "fictitious purchase amount." The whole bearing of Mr. Bailey's evidence is to the effect that by collusion between landlord and tenant a fictitious agreement was entered into, whereby a fraud upon the Act was perpetrated, which was to result in the tenant getting a sum of money at low interest, and the landlord getting a bonus on the amount so added. This is altogether erroneous, and any suggestion that there was anything "fictitious" in my purchasing agreements, or that there was any sort of "collusion" between myself and my tenants is unwarrantable and false. It has been said that the Mr. Lindsey Talbot-Crosbie.

* The Chairman received the following letter in connection with this matter:—

Ballymacool, Letterkenny,
March 25th, 1907.

MY LORD,—On my return to Dublin my attention was called to reports in the *Daily Express*, *Freeman*, and *Independent* newspapers of Saturday the 23rd inst., to the effect that a letter was read at the opening of the proceedings of the Royal Commission on Congestion on Friday, 22nd inst., from Mr. J. D. Crosbie, of Ballyheigue, complaining that I had made an unauthorised use of his name in my evidence on the 18th inst., and stating that he had had no communication either with me or the Landowners' Convention on the subject of the sale of his estate. I wish to say that his letter was based, not on my evidence, nor on anything that I said, but on a report (which I have not seen) in the Dublin *Evening Mail* of the 18th inst., and which was very inaccurate if it bore the interpretation which Mr. Crosbie has placed upon it. Mr. Crosbie's name was only mentioned by me in my replies to the following queries—23,914, 23,982, 23,995, 23,999, 24,108 and 24,111. The official report of all these queries shows that I was merely dealing with the reports of judgments that had been delivered by Judge Meredith, or the Court of Appeal, in a particular case, which happened to be the estate of Mr. J. D. Crosbie. There is not a word that would convey that I had received any communication from, or had an correspondence with Mr. J. D. Crosbie himself on the subject. If Mr. Crosbie's complaint is reported in your proceedings I hope the Commissioners will kindly insert this reply also.

I remain yours faithfully,
W. H. BOYD.

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Mr. Lindsey Talbot-Crosbie.

Commissioners would have no option as to paying the bonus on the total sum specified in the agreements—I fail to see how there could be any legal obligation consequent upon an illegal action. If their powers under the Act were sufficiently elastic to enable them to advance the added moneys, they could surely have withheld the bonus, where it was manifestly not applicable, and where there was no demand for it to be paid. As a matter of fact, they had not power to do either one or the other. The transaction from beginning to end was within the cognisance of the Commissioners; they personally authorised my agent to make such advances, and in forwarding their memorandum on the point of law to the Judicial Commissioner they state:—"The Commissioners themselves thought that advances out of the Land Purchase Fund could be made for improvements in cases of sales direct from landlord to tenant" If there was any fraud upon the Act it was committed by the tenants and the Commissioners—the one was to get cheap money and the other an improved security. The landlord did not come in at all, beyond being made the channel through which the arrangement was carried out. Personally, I should never have allowed myself to be made a party to an action at law. Directly the Commissioners said they had changed their minds, and did not consider the added moneys could be sanctioned, I should have acquiesced in their decision. If they had taken this course my sale would have been completed last August, and I should have been saved a very heavy loss. Had the Act enabled these advances to be made it would, no doubt, greatly have facilitated purchase, and the tenants and the State would have been decided gainers. The only pretence for bringing in the landlord is upon the question of bonus, but that is based upon the supposition that the sales were within the zones, and that the Commissioners could not discriminate between purchase money and advances for improvements; this is not the fact, as at the time of inspection full details were asked for and given. Personally I have not found the Commissioners hesitate about ordering inspection. My experience is not at all in conformity with Mr. Bailey's answer to Question 16532,* that "When an estate is under the zones we pass it as a matter of course" I concluded my terms of sale three years ago, and upon four separate occasions the sale has been blocked through no fault of mine. On the last occasion a trumped-up claim was made by a few tenants, which had been considered and disregarded at the first inspection of the estate, but in February last, after a lapse of nearly three years, another inspector was sent down to open up the whole question again. As I have not the smallest intention of submitting to what I consider is a deliberate piece of blackmailing, the sale will, I suppose be again hung up indefinitely

25518. Sir Antony MacDonnell.—What do you mean by the last sentence?—The claim made by tenants at this time of day is quite unwarranted.

25518a. The claim made by whom?—By the tenants.

25519. Made upon whom?—Made upon me. Absolutely unwarranted. It was quite an after-thought. It was not before the Commissioners for six months after the purchasing agreements were signed, and it was clearly a got-up claim, absolutely unwarranted, and it was considered at the first inspection and set aside as quite untenable.

25520. Sir John Colomb.—I understand that the sale of this property was not within the zones?—Oh, yes; it was within the zones. My properties are all within the zones except a few cases that come below the zones.

25521. This is the sentence:—"The only pretence for bringing in the landlord is upon the question of bonus, but this is based upon the supposition that the sales were within the zones"?—Yes. The general tenor of Mr. Bailey's evidence was that if the estate was within the zones they had not power to differentiate if the sum had been put down in the purchasing agreements, between purchase money and advances for improvements.

25522. Then in the next paragraph you say, "Personally I have not found the Commissioners hesitate about ordering inspection"?—Yes.

25523. And there was an inspection of your property?—Yes. Full details asked for and given with regard to this very transaction.

25524. My point is, why order an inspection of your property sold within the zones?—That I do not know

25525. Sir Antony MacDonnell.—They may require an inspection for security?—Inspection is in special cases. If a claim had been made by a letter to the Commissioners they would investigate that.

25526. I see. As a matter of fact your case is that inspection might take place under the conditions of a property sold within the zones?—Precisely.

25527. Most Rev. Dr. O'Donnell.—Lord Dudley, as the action of the tenants also comes into Mr. Crosbie's statement having heard Mr. Crosbie with reference to this, might it be possible to leave it open to the tenants of the district to give evidence as to anything that has been said?

Chairman.—Certainly. If any tenant likes to come from the district we shall have no objection to hear him. Now, Mr Crosbie says that Mr. Bailey made certain statements in his evidence to which Mr. Crosbie says he takes exception. In a letter to the Secretary he pointed out that he protested against this statement, but as we obviously could not undertake to publish in our Appendices a long correspondence we thought it the fairest thing to give Mr. Crosbie an opportunity of coming here and making his statement

25529. Mr. O'Kelly.—What is the deliberate piece of blackmailing?—Do you wish me to go into the claim—because the claim is before the Estates Commissioners at present? I only bring this forward as showing that inspection was open to them.

25530. Whom do you accuse of being guilty of the intention of blackmailing?—Clearly the tenants who put forward what I consider an absolutely fictitious and bogus claim.

25531. I should like to know what that claim is, because this is rather a bald statement. I should like to know what it really is?—Well, it is before the Estates Commissioners at the present moment. I do not know whether they will disregard it or not. I know that they do not disregard it at any rate to the extent that they sent down a special inspector to go into the question, and his report is before the Commissioners now, and my reply to queries based on that report, and whether they will accept my reply or deal with it in another way I do not know, but it shows inspection was not impossible.

25532. But that is not my point. I should like to know exactly, if you can describe it in a few words, what particular conduct it is which you describe in that way?—I can give you my reply to the Estates Commissioners upon the queries sent to me if you like.

25533. That is not the point. When you say that the tenants are guilty of a deliberate piece of blackmailing what is the character of the blackmailing?—I will tell you shortly. The question which the Commissioners' Inspector went down to investigate was a claim which the tenants had made with regard to the flooding of their lands. There was no claim made by them when my estate was sold three years ago. There was no claim made by them upon that subject when they signed their agreements afterwards in the presence of their solicitor; and they had full time to do it. There was no claim made till, I think, six months afterwards, when their solicitor wrote to the Estates Commissioners But there was no action taken till the other day, after nearly three years had elapsed, when a special inspector was sent down to consider their claim.

25534. Claim for what?—For the flooding of their lands and for a reduction in their purchasing agreement They want to break through their agreements. They have signed their purchasing agreements. They signed those deliberately and with full knowledge of the circumstances They want to break through these at this eleventh hour, to get their purchasing annuities reduced proportionately on account of the flooding of their lands, this flooding of their lands having been taken into full consideration in the fixing of the second term rents. Blackmailing may be a strong word to use, but I do not use the word in any personal sense, but rather as indicating my general opinion of the transaction.

25535. How many tenants would be involved?—Five or six.

25536. And how many tenants altogether, roughly or approximately—a hundred?—Oh, yes. This is a transaction of over £100,000 which I am supposed to

* See Appendix to Third Report [Cd. 3,414, 1907], p. 172.

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have vitiated for the sake of getting two or three hundred pounds of increased bonus.

25537. Sir JOHN COLOMB.—Mr. Crosbie, these particular tenants signed an agreement for a certain purchase price. That is so?—Yes.

25538. And the inspector the Estates Commissioners sent down was really dealing with value and security generally on the estate?—But in this special case it was because there had been a claim by these tenants and a representation made by their solicitor upon this point. This letter was given to the inspector who went down.

25539. Then practically, in effect, it was an expression of a desire on the part of the tenants who had signed the agreement within the zones to withdraw from that agreement?—Yes, to get a further reduction.

25540. CHAIRMAN.—May I just ask you to explain, if you can, what happened, because I am at sea still, The whole thing arose apparently from a question by Mr. Bryce:—"Do you know of cases where an estate has been made to fraudulently come under the zones, where an agreement has been made with a tenant or tenants to pay, say, £1,100 for an estate when really the bargain was for £1,000, and the £100 has been given to the tenants by the landlord for the purpose of bringing the thing within the zones in order to get the bonus?" The answer is—'We have been told of that, but we cannot test the cases. We have been told all sorts of things, but we have not evidence of them. But in the Talbot Crosbie estate they deliberately and openly added to the purchase money certain sums that were due for arrears of rent." And then he went on to say—"A landlord also, on another Crosbie estate" Now, what happened? Did you add a certain sum for arrears of rent?—Yes, I did. And that has been decided by the Master of the Rolls, and then, on appeal, by the Court of King's Bench, that that was a perfectly legal course; and it was the general practice of the Commission up to that time.

25541. And that you were empowered to do?—That I was empowered to do. But it is the bearing of the question I take exception to. I only did what I had a legal right to do.

25542. You added a certain amount of money for arrears of rent on to the purchase money?—Yes.

25543. And that you were entitled to do?—Yes.

25544. Now, following that question of Mr. Bryce there is another:—"Do you mean with regard to Mr. Crosbie's estate some arrangement was made by which when they got the advance he was to hand back to the tenants certain money for certain things?" and the answer is, "The tenants agreed to buy at a certain number of years' purchase." "Within the zones?"—"Yes; additional sums were added on to the prices, which were within the zones, so that the combined sums would still be within the zones." That is all right, is it not?—Yes.

25545. "And the landlord agreed with the tenants that when the sale went through he would repay to the tenants these sums agreed upon for the making of improvements out of the advance for purchase money." Now, was there any sort of agreement of that kind. When you added those sums for arrears did you make any agreement with the tenants that when the gross purchase money was advanced you should return to them a certain sum?—Certainly, after it had been fully considered and the Commissioners had sanctioned it.

25546. I see Then what was the idea or object of it?—One great need of the tenants of Ireland is capital to work upon, and it would enable them to get a little. In most of these cases the money was used for the erection of hay sheds, which is one of their great requirements It was done on a neighbouring estate, and my tenants said, "We have a chance of getting cheap money." And they came to me and said, "Would you allow us to add money in our case? We will get cheap money and will be able to buy our hay-sheds at a very low rate." I said, "No, I do not think it has anything to do with me. I do not believe it is in the Act, and I do not believe it is legal." My solicitors were consulted and they also said they did not think it right The tenants still persisted, and Mr. Trench, my agent, went to the Commissioners and laid the whole thing before them, and asked them whether they would have power to do this and to make these advances for those improvements, and they said, "Yes, you can; you are at liberty to do so." Then I consented on condition that at every stage the whole proceeding should be within the cognisance of the Commissioners.

25547. May I just ask you if this is the case then, that you agree with your tenants for a certain sum plus arrears, and those arrears are added to the purchase money, and then it is pointed out by the tenants that they would like to do certain improvements upon their holdings, and, in order that they may get the money for that purpose, the arrangement is that they agree to a year's extra purchase being added to the purchase agreement, and then that money is handed over to them when the money is provided. Is that it?—A certain sum, at any rate. It was not suggested as a year's interest, but a sum was fixed.

25548. Then what it amounts to really is that by a process of that kind the tenants are enabled to obtain a sum of money to be repaid in sixty-eight years at 3¼ per cent.?—Yes.

25549. It is a method of getting a cheap loan spread over sixty-eight years?—Precisely. And it is a great advantage to them and a great improvement to the farms, and a great advantage to the State in the improved security.

25550. That agreement between yourself and your tenants, the purchase agreement, had been completed before this subsequent transaction was begun?—Which transaction was that?

25551. The additional sum of money for improvements?—Yes.

25552. The purchase agreement?—Well, the agreement for sale had certainly been completed, not the actual signing of the purchase agreement, because it was suggested to them afterwards.

25553. That is a point I want to be clear upon. Did your tenants sign the purchase agreements before the subsequent business was gone into—were the purchase agreements signed by your tenants before this question about additional money was raised?—Certainly, the added money was in the purchase agreement.

25554. That is just the point. Was the purchase agreement first completed before the added money was considered?—No. The added money was considered between the date at which I actually sold my estate on the terms agreed upon and the date of the tenants actually signing the purchase agreements.

25555. I understood from some words that you had used that the agreements had been signed, and that it was on subsequent consideration that the money was added, and then the agreements were revised?—No. That observation of mine referred to this last question which I dealt with in my statement—that I say was practically an afterthought.

25556. Then before your agreements were deposited with the Estates Commissioners the price had been settled?—And the added money had been settled. Both appeared in one sum in the purchasing agreement.

25557. And there had been no previous agreement in which any sum had appeared?—No.

25558. Then there were actually two things—arrears and also this sum which was to go to the improvements?—Yes; in some cases that was not a very large sum.

25559. Mr. Crosbie, is it the fact that the bonus would be payable to you calculated upon the gross sum including the sum that would be returned to them after it came back?—I do not know. The question of bonus was never raised at all. The question the Commissioners had to decide was whether they could make advances for improvements. There was no question of bonus. If they could not make the advances for the improvements there could be no bonus, and as a matter of fact they could not advance money for improvements.

25560 But if such an arrangement as this had gone through, an arrangement that in a certain number of cases where a certain amount of money was necessary for improvements that amount was to be added to the purchase money, if that had gone through would the bonus be payable on the full amount?—I don't know. I say that the question of bonus had never emerged; it never was claimed by me, and I absolutely repudiate it.

25561. Surely the question of bonus is not a question of repudiation by one person or another. It is merely an automatic calculation, 12 per cent. upon the purchase money?—Upon the ascertained purchase money. It never came up to a point. When the estate is sold and when the purchase money is fixed then the Estates Commissioners, I take it, under the Act are bound to pay 12 per cent. upon it.

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25562. Sir ANTONY MACDONNELL.—No, no; they are not. It is only when the money is deposited and distributed. It is the last process in the whole business, and it is not the Estates Commissioners, but the Judicial Commissioner?—It is the last transaction upon the whole affair, is it not, Sir Antony?

25563. The Estates Commissioners have nothing whatever to do with it?—So the question never emerged at all.

25564. CHAIRMAN.—Is the bonus 12 per cent. upon the amount that actually goes to the landlord after charges have been deducted?

SIR ANTONY MACDONNELL.—No, my lord; it is 12 per cent. on the gross purchase money.

CHAIRMAN.—Before you deduct anything?

SIR ANTONY MACDONNELL.—Certainly.

25565. CHAIRMAN.—Then is it not the fact that if this proposal of yours had gone through that no matter whether this money was eventually paid back by the tenants or not, the bonus would have been payable on the gross amount, including that?—No, certainly not; it would have been paid on the purchase money, and this was not purchase money.

25565A. But the purchase money in this case, did not that include the money which was to go back to the tenants?—No. There was purchase money, and added money, which was within the knowledge of the Commissioners, and would have been eventually in the knowledge of the Judicial Commissioner.

25566. But, surely, the only way in which a loan of this kind could have been made to the tenants was by considering the money as part of the purchase money—there is no power under the Act to specifically give a loan to tenants for improvements, is there?—That is exactly why it was thrown out and declared to be illegal.

25567. But there is no power to do that, and, therefore, the only possible way in which they could get an advance of that kind, and the way in which those people that you refer to on the neighbouring estate got their advance was by considering that sum as part of the purchase money?—I do not know whether in that neighbouring estate it was really revealed as to what was purchase money and what was added money, but I took very good care that it should be in my case. I cannot speak of another.

25568. I am not suggesting that you would not be perfectly frank in the whole thing. I am not suggesting that for a moment, but I am suggesting that if this thing was to go through it would have to go through by treating that added money, as you call it, as part of the purchase money; and then the bonus would have been payable on the full amount?—Oh, this is rather an academical discussion. I think the whole thing is illegal, and I do not think there could be any legal consequence of an illegal action. All I know about the neighbouring estate is that there had been sanction for an advance to the tenants over and above purchase money.

25569. Sir John Colomb asked this question in order to try and find out how far Mr. Commissioner Bailey was accurate in giving this evidence. He said: "Take the case where the purchase money was £500. Another sum would be added for making improvements (that is what you called the added money). That would bring the nominal purchase money to £600. The landlord would get £500 himself, and £100 would go into the pockets of the tenants"?—That seems to me to be an accurate description of the proposal.

25569A. Then I asked if the landlord would get a higher bonus on that, and the reply was, "He would get a bonus on £600 instead of £500"?—I controvert that statement altogether. As a matter of fact, I do not think the landlord would get a bonus upon the £600 at all.

25570. Sir ANTONY MACDONNELL.—Would not the £600 be the purchase price in the agreement?—The Commissioners had perfect knowledge that one sum represented one thing and one sum represented another.

25571. CHAIRMAN.—You apparently thought it was a legal thing to do because the next question by Sir John Colomb is: "He would get a bonus upon a fictitious purchase amount," and the reply is: "That is what was held, but he made the case that he thought he was entitled to do this. He could not see any objection to paying back some of it to his tenants to enable them to make improvements"?—I deny that absolutely. I made no such case.

25572. Sir ANTONY MACDONNELL.—In the J. D. Crosbie case the judge did raise the question of bonus?—That was not my case. I am not prepared to look into other people's business.

25573. But they are on all fours on that point. It is no imputation upon you at all, but the judge did raise the question that the bonus would accrue upon such addition to the purchase price?—The decision of the judge is before you; you can make your own deductions from it. All I say is, that the whole bearing of Mr. Bailey's evidence is that the landlord was to have the advantage of getting the bonus which might attach. I say that that was not a consideration which entered into the transaction at all, and I believe at the present moment that that bonus could never have come to me.

25574. Most Rev. Dr. O'DONNELL.—Your statement is that whatever you proposed to do the Commissioners had cognisance of it?—Absolute cognisance.

25575. But the Chairman's point would mean whether the bonus should be payable on the full amount. Of course, that is a different question?—I cannot say. It has nothing to do with my transaction.

25576. CHAIRMAN.—What you want to say is that in doing this you had no subterranean intention of getting a bonus that you were not entitled to, and that whatever the effect might have been, whether the bonus was payable on the whole purchase money or on the actual value of the land, you did not wish in any way to create a state of things which would bring you a larger bonus than you were otherwise entitled to?—That is the clear position. Perhaps I may be allowed to read an extract from Sir John Colomb's letter. Sir John Colomb wrote to me in reply to a letter taking exception to the use of the word "fictitious":—"In reply to your letter, I have to state, first, that my question was based upon the statement made by Mr. Commissioner Bailey, secondly, that the word "fictitious" naturally applied to the case as described by him." That is my object in coming here. I wish to show that there was no warrant for the use of the word "fictitious" in connection with my case.

25577. Sir ANTONY MACDONNELL.—You have referred to numerous inquiries made by the Estates Commissioners. I understood you to think that they had been unnecessarily prolonged, inspectors sent down and so on. May I ask you whether these inquiries were subsequent to the inquiry and the deposit of the agreement?—The last inquiry took place only last February, nearly three years after.

25578. Three years after. Had the flooding occurred before the late inquiry took place?—I do not think flooding has occurred for many years, but it was considered in fixing the second term rents, and a deduction of twenty per cent. was allowed.

25579. Had flooding occurred after the agreements were signed?—No, certainly not. It is very well provided against, and is not at all likely to occur.

25580. Were you asked to deposit any security against flooding?—I have not been asked to do so, but as I said I have not got the decision of the Commissioners upon it.

25581. Had these inquiries anything to do with flooding, or with making provision for additional security for the advance on that account?—In one of the Commissioners' recent rules, issued on 15th March, 1906, special reference is made as to the upkeep of river and sea embankments, to providing that the same shall be maintained so as to preserve from destruction or injury, the subject matter in respect of which advances are applied for. I understand that the Commissioners make special inquiries even after the signing of the agreement in order to guard against flooding so that the advance may be properly safeguarded?—I have no doubt that the Estates Commissioners have acted perfectly within their rights. But Mr. Bailey stated, "When an estate is under the zones we pass it as a matter of course." I merely said it was not my experience. Very close details were asked for and obtained.

25582. You will find in Section 1 of Clause 2 the authority for the inquiries to be made in regard to zone cases?—I do not question that at all.

25583. Most Rev. Dr. O'DONNELL.—It is a little different from second term rents. You may fix second term rents on flooded land, but if you are to have an instalment for 58½ years it is a serious thing

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to have flooded land. The second term rent may be varied according to development, but the instalment would be fixed for a very long period without any change. There is that difference?—Possibly. That is a point to be considered. I merely put that forward as showing that all these matters were absolutely within the cognisance of the Commissioners, and that they knew what was added money and what was purchase money.

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Mr. Lindsey Talbot-Crosbie.

Mr. JOHN FITZGIBBON further examined.

Mr. John Fitzgibbon.

25584. CHAIRMAN.—Will you please continue your statement?—I wish to make a few observations in regard to the questions put to me by Sir John Colomb yesterday about inspection. I said I believed the Estates Commissioners inspectors knew their business. I should have qualified my statement by saying "those of them who come to my district." I know nothing of the qualifications of the inspectors working in other parts of Ireland. Now, Sir John Colomb asked me yesterday a question which I did not exactly understand at the time—it has been pointed out to me since—whether these people settled down when they were evicted between the years 1850 and 1885 My reply now is that they faced in different directions according to their ability. Those that were able to emigrate did so. Others had to seek holdings on the unreclaimed moors, and the more feeble entered the workhouse.

25585. Sir JOHN COLOMB.—I think you will not find that when you come to read my question?—That is the nature of the question I was told.

25586. My question had reference to clearances, and arose out of your interesting historical statement in regard to congestion. My question was this. Taking these particular years, are you aware that the census returns between 1851 and 1861 do not show an increase in small holdings, but a diminution?—Quite so. Of course the tenants were scattered. To enlarge on my statement of yesterday with regard to the methods that should be adopted in dealing with tenanted estates I will first preface my remarks by saying that no matter how well-intentioned the framers of the Act of 1903 were in attempting to produce a measure that would go a long way finally to settle the question, I will admit that in its working its defects can be best seen. I have paid close attention to the sale of estates, and now desire to give the Commission my experience. In the case of direct sales, no matter how good the estate may be considered, inspection is necessary, and more particularly is it so in the case of estates of a second or third-rate character, for the following reasons. First, to see how second term rents work out compared with what an inspector would consider "fair" rents, as it is perfectly true, as Lord Dudley said yesterday, the number of years purchase given depends on the basis. Secondly, in all estates I have seen sold direct, the small or uneconomic holdings merely got a reduction in rent, which, to my mind, in many cases amounted to an addition of not more than from 5s. to 20s. a year to the income of the tenant. His condition is practically unchanged. Thirdly, improvements in the way of drainage, the repair of byroads that cannot be undertaken by the District Council not being of the statutory width, and roads required for bogs, improvements to farm house and dwellings are absolutely necessary before the estate is handed over to the tenants. The Commissioners should therefore see that each estate not sold under Section 6 required some of those improvements, and was practically free from small holdings, and I respectfully suggest that where omissions of this nature have occurred, and where the estates have passed through, those should partake of the advantages that they would receive had they been sold under the proper Section. I think it was Commissioner Bailey who said that all estates were inspected. These inspections, so far as I know, relate to boundaries, but not of improvements, unless the Commissioners have amended their action since they were dealing with two estates in my locality, which were purchased immediately after the passing of the 1903 Act. I refer to the Sandford and Cleeve estates, which should certainly have been sold under Section 6. An expenditure of at least £10,000 on the former and £1,000 on the latter would be necessary to make such improvements as would enable the tenants to make their own improvements—a large system of drainage, roads to bogs and enlargement of holdings and through a system of migration the improving of the congested portions of the estate. Very many holdings on this estate at present uneconomic could be materially enlarged after a thorough system of improvements and drainage had been carried out on the estate. This is the estate which I think Mr. Bailey had in his mind when he stated that the Commissioners gave a free grant of £1,000, and I believe their minds are made up to give another thousand. But to obtain those grants if I paid one visit I must have paid fifty to the Commissioners' office and written as many letters, and I had to bring every pressure to bear before I succeeded in bringing home to the Commissioners the desirability of so doing. The grounds I went on were that these estates were among the first sold, that the Sandford estate was dovetailed into the Dillon and De Freyne estates in the congested portions of it, and that uniformity of treatment ought to be the order of the day. I further pointed out that the Commissioners should have seen at the initial stages of the sale when they were purchased, that they were bought under the proper Sections. In this I was met by Mr. Finucane, who said that because John Fitzgibbon was identified with the negotiations they considered the estate must have been all right I do not know whether he was really serious in making such a remark.

25587. Sir ANTONY MACDONNELL.—What is the meaning of it?—The meaning of it was that I was present when the negotiations were in progress. It was one of the first sales after the passing of the Act of 1903, and I was not supposed to know the law. My point is that the Commissioners ought to, and that they should have seen that this class of estate was properly dealt with under the proper section.

25588. Most Rev. Dr. O'DONNELL.—You had no connection with the transaction except that you were present?—Oh, yes, I had. I tried to make the best bargain I could. I was present at the negotiations.

25589. You helped them through?—I helped them through, and was led to believe at the time that the Congested Districts Board would not deal with the estate. At least the agent publicly said so.

25590 Mr. CONOR O'KELLY.—Was not Mr. Finucane's reference rather a flighty one?—I took it as a joke.

25590A. It is a fact that the tenants on most of the estates in Roscommon always look to you for guidance and assistance?—That is so. I must say that it is one estate that I think I made a mistake in although there is no estate in Connaught that since the passing of the Act obtained better terms by a direct sale. The price was good. There was an agitation on the estate some years before. The tenants went in at the proper time to get rents fixed. It was not considered at any time a highly rented estate. They received as reductions on the rent an average of 33 per cent. and they bought the estate at from 18½ to 21 years' purchase on first term rents, and received some thousands of acres of bog free, and I think a half-year's rent added to the purchase price and several little advantages, and everything was done for them that could be secured, but all the same if the same thing had to be done over again I would certainly oppose a direct sale.

25591 Most Rev. Dr. O'DONNELL.—Your point is that on such estates the uneconomic holdings ought to be made economic before they are sold to the tenants?—Quite so At least the estate should be bought under the proper section. Last year, after the sale had gone through, I met Mr. Finucane and Mr. Bailey on the estate, and I was pointing out the works that were necessary and the works that had been done, and endeavouring to get the second £1,000 that has not come to hand yet, and Mr. Finucane said that because John Fitzgibbon was identified with the sale of the estate they considered it must be all right I don't know whether he was really serious in making this remark, but the fact remains that this estate and the

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Cleeve's estate have not been handed over to the tenants in the condition in which the Act of 1903 intended that they should. Far more important to the tenant farmers in the West of Ireland and indeed throughout Ireland is the improvement of their holdings than the reduction of their rent. I would suggest that if direct sales are to be continued then the moment the agreements to purchase are signed an inspector should be sent to the estate to report on the number of small holdings and the prospects of being able to enlarge them, and the general improvements necessary before handing over that particular estate. The ordinary holders of good sized holdings partake more of the advantages of sale than as a rule the small men, and as to the cost of improving the small tenants' condition by rents levied on the estate it is reasonable and just that the large holder, even though his holding requires no improvement, should pay his moiety of the expenditure, if he purchases his holding on the same terms as the man who occupies the uneconomic holding I do not want to dwell at any length on the numerous advantages that the landlords are receiving under the Act of 1903 compared with the previous Land Purchase Act. I am well within the mark when I state that the tenants through the alteration of the financial provisions of the Act as compared with the Ashbourne Act have contributed so far four years' rent increase of the purchase money to grease the wheels of land purchase. The falling off in the number of estates offered for sale can be attributed to one cause only—that is previous to the passing of the Act—and that was the reduction in the price of land stock. Since then the tenants contribution has more than made up that deficiency. The landlord in addition receives the 12 per cent. bonus and the other droppings What has the tenant received? Practically nothing except that he is—to use an expression made use of by Mr. Finucane—in the position of the dog being helped to a bit of his own tail. £200,000 has been set apart for the evicted tenants that suffered in the land war started in 1879. Sir Antony said £250,000, I think.

25592. Sir Antony MacDonnell —That is with the accumulation. £200,000 is what is mentioned?—What fund has been provided for the reinstatement of the tens of thousands who were driven from the fertile plains of Roscommon, Westmeath, and Tipperary, in fact, from every fertile plain in almost every county in Ireland. This is the task that the Commission should have before it of recommending that the British Treasury supply as many millions as will be necessary to bring the people back to the land. I have not the least objection to the landlords receiving a substantial sum for their services to English rule in Ireland, though it is very questionable whether their action in the past materially helped to place the Empire on a solid foundation. But I don't consider that the tenant farmers of Ireland are under any obligation to contribute to pensioning off the old English garrison. A much safer method of strengthening the Empire is to have restored to the lands of Ireland the descendants of the men who were compelled to fly from it First let the foundations of a prosperous Ireland be raised by doing away with an unworkable partnership that exists between landlord and tenant, carrying out Mr. Finucane's scheme of taking the necessary land from the hands of those who are holding large tracts of grass and not working them, from fifty acres upwards, a distinction to be drawn between the man who tills and works his farm as a farmer and the man whose farming implements comprise simply a sheep crook and a hay fork, to meet the requirements of the country. If Ireland's agricultural resources are to be developed this method must be adopted It has, I believe, been stated that there is not such a desire for land in Ireland that requires such a revolution. I need only refer to Mr. Boyd's evidence of the prices paid for tenants' interest on some of the holdings. These holdings are not worth in commercial value often more than one-fourth of the sums paid for them, but the supply is unequal to the demand, and the anxiety of young men to live in their own country even on patches proves that the Irishman wishes to live at home if he can But by whom are those large fines generally paid? They are paid by men who have earned money in America and Australia, and in some instances by young men employed in England To my own knowledge there are thousands of Irish exiles living in America and elsewhere anxious to return to Ireland. I have received myself hundreds of letters. They do not ask could they get a house to live in and start a business. They all make inquiries for the land, and to let them know when they may return We are not dependent on those men for the occupation of untenanted land. We have fine young men at home, sons of small farmers, who through their thrift and industry are possessed of such amount of capital as would go a good way in working the new holdings. But my contention is that their savings in many instances would have to be supplemented, and that supplement should not be confined to Connaught, but should be extended to the same deserving class no matter what part of Ireland they were to be found in. The Commission need not be nervous in placing on the front page of its report that a sum sufficiently adequate for these purposes ought to be provided It would be much better invested than any expenditure lavished in strengthening England's army and navy, and would be a much greater source of strength to her Empire.

25593. Chairman —Before you go on I would like to ask you one question. You will admit that the amount of untenanted land in Ireland is limited?—Yes

25594. It is probable a great many people exaggerate the amount of it Suppose for the sake of argument that there is only enough to satisfy the claims of people living in the congested areas what policy would you like to see adopted? Would you wish to see new tenancies created by putting in on this land the sons of tenants whom you have just described, who by their thrift and industry have acquired a certain amount of capital, or congests pure and simple?—If you start on the assumption that you cannot satisfy both, which would you go for?—I would be just as particular in the selection as a good agriculturist would be in the seed that he would place in the ground.

25595 What do you mean by in the selection?—In the selection of the migrants to place on the land. Every man with an uneconomic holding may not be exactly the man whom you would place in a new one.

25596. Do I understand from that that in your view there are a number of people living on small holdings in the congested areas who are not fitted to be put on better land?—Quite so.

25597 You think so?—I do.

25598. You think therefore even if you were able to carry out a large scheme of migration from the congested areas you would only be able to remove a certain number of them, by reason of the fact that there is only a small proportion of them qualified?—I don't say a small proportion; but I say I would commence a system of weeding, if I may use the expression, and pick out the strongest men. When I say strongest men I mean men strong in help, a matter which is more important even than capital—a strong family.

25599. Go a little further. Suppose that either the Congested Districts Board or the Estates Commissioners acquire a tract of grazing land, and that you are able to find in the congested area a sufficient number of good, strong, intelligent men to migrate to that land, but that at the same time around it there exists a feeling that it should be broken up and given to the sons of tenants, which demand would you satisfy?—I would try to satisfy both

25600 But you cannot do that?—Yes

25601 My case is, suppose you cannot do both; and, with all due respect, I don't believe you can?—With all due respect to you I know what I am talking about.

25602. But at any rate suppose that the land in your possession at this moment is not big enough to satisfy both, to whom are you going to give the preference?—To the heads of families who would be considered suitable

25603. Even if those heads of families came from some distance?—Yes Of course, as I am on that point I wish to give you my views as to the way that migration ought to be carried out. I have seen it stated by Mr. Finucane——

25604. Most Rev Dr. O'Donnell.—Before you begin please tell us the kind of country you have in your mind. Is it a fact that you are acquainted with these large tracts of grazing land that have been mentioned to the Commission?

25605. Have you also an intimate acquaintance in the same unions around with poor inland districts?—Yes.

25606. What unions do you know best?—Castlerea, Strokestown, and Roscommon. We will take the County of Roscommon first.

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25607. Would it be true to say that in Castlerea Union there are some of the poorest inland districts to be found in the West of Ireland?—Yes.

25608. Are those poor inland districts in the Castlerea Union scheduled?—Not all of them.

25609. Within the scheduled area is there much grass land?—No, very little.

25610. The grass land is outside the scheduled area?—Yes.

25611. In the grass lands I suppose there are little spots of congestion?—Yes.

25612. These spots of congestion are occupied by farmers?—Certainly.

25613. These occupiers have not their lands in grass?—No, because the land in some instances was not sufficiently good to have in grass, and of course the district is not scheduled as congested because the large farms bring up the average. The unscheduled districts, so far as the land in the County Roscommon is concerned, are most misleading.

25614. We have within the district where you live, large tracts of scheduled area with poor people?—Yes.

25615. And large tracts of grass land outside the scheduled area?—Yes.

25616. And in those tracts of grass lands there are little spots of congestion?—Yes.

25617. Now, I think we have the way clear to ascertain how you are going to deal with the people in the scheduled areas and the people on the spots. I think you hold that the poor people in these islands of congestion have as much claim as those in the scheduled districts?—I say they have a prior claim. I have now before me a return of 6,583 tenants who live on uneconomic holdings adjacent to the grass areas,* and I say that these are the people who ought to be supplied if you want to have a scheme of migration to proceed smoothly.

25618. If the body dealing with the problem of congestion buys a tract of grass land outside the scheduled area what is it going to do with that?—It has on the one hand any number of congested occupiers within the scheduled area. On the other hand it has a comparatively small number of people on this island which is, I assume, contiguous to the purchased land?—It is most extraordinary that in Roscommon the number of small holdings of from £2 to £5 far exceeds in the non-scheduled areas the number in the scheduled areas.

25619. Would you have a justification for saying that the poor occupiers of these lands have a claim?—Certainly. In the first place they have been gazing on these fields since they were born, looking on them in vain; and they are in much closer proximity than those in some instances who have never seen them.

25620. Sir Antony MacDonnell.—But their actual necessity is as great as if not greater than that of those on the scheduled areas?—Quite so.

Sir Antony MacDonnell.—That is the justification.

25621. Chairman.—Do I rightly gather from your evidence that in your opinion there is sufficient untenanted land in Ireland to enable you to settle the congested problem in a large way?—You do.

25622. To move all the suitable men from the congested areas and at the same time to leave you a balance for the creation of new tenancies for the sons of the present holders?—If the joint is properly carved we have sufficient to go round.

25623. Will you tell me on what grounds you base those views? Can you give the Commission any facts which will enable us to form an opinion?—To start with I entirely agree with Father O'Hara that there are thousands of holdings in the West of Ireland that can be made economic by a good system of drainage reclamation by even affording the people the opportunity of improving their holdings through such a system. Next to that, as I have mentioned in my statement, when we have disposed of all the non-residential untenanted farms that are used now for grazing purposes, if I found that these were not sufficient I would proceed then to what are known as residential holdings in the hands of farmers, say where there are 400 or 500 acres, and I would carve them down, particularly when these were in the hands of men who were permitting them to deteriorate.

25624. You are yourself admitting that the joint is not big enough. I asked you whether there was sufficient untenanted land in your opinion to satisfy the congested problem and at the same time allow you to make new tenancies, and you answered that if the joint is properly carved it is sufficient. That is to say, in other words, that there is sufficient untenanted land if the divisions are properly carried out, but now you go on to make quite a new suggestion?—I expected that the class of holdings I allude to now belonged to the joint I had in my mind.

25625. That is not untenanted?—I admit at once that the demand for holdings in Ireland of from 20 to 40 statute acres is very great, but I think in the interests of the country it is desirable to satisfy that demand as far as possible. In dealing with the matter of the selection of the people for new holdings I think it most desirable from the national point of view to place on those lands men who will be a success, and not run the risk of failure; and that being so I say that the greatest care must be taken in the selection of the men who are to occupy the new holdings. I have frequently brought under the notice of the Estates Commissioners the methods that they ought to adopt in the selection of men to occupy the holdings that they have already distributed. Take the son of a tenant farmer who applies for a holding. One of the first steps to be taken if his application be entertained is to see what use his father made of the land he had.

25626. Tell us what in your view the test should be. Let us confine ourselves for a moment to actual heads of families, and not the sons?—I take as the test of heads of families what I have said of the sons. One of the qualifications of an applicant would be that he was an industrious, thrifty, temperate man.

25627. Sir Francis Mowatt.—And a qualified farmer?—Yes. The fact of it being known in the country that these qualities were essential to enable a man to get on to a holding would, to my mind, create a spirit of industry in the country far greater than there is at present.

25628. Chairman.—Would you go so far as to say that a man, industrious, thrifty, and sober would be certain to succeed in a new tenancy?—In nine cases out of ten if he is industrious the farm that you are going to take him from will show it. That is the first test, if he is industrious and temperate. He should also possess capital either in the shape of a family, so that his sons could help him, or a moderate amount of means. If you are going to make a selection that is the class of men you will have to give a preference to. If you cannot help all, these are the first in order.

25629. I have no doubt you will be able to find many men, probably the great majority, who would be industrious, thrifty, and sober, but is not something else required as well?—I have stated, of course, a moderate amount of capital.

25630. Chairman.—Where you have got a great number of people who are industrious, sober, and thrifty how are you going to judge between them unless you make something else a test?

25631. Most Rev. Dr. O'Donnell.—You consider the aspect of the farms they have tilled first would be a guide?—Yes.

25632. Chairman.—Do you think that would be a sufficient guide to agricultural knowledge? Do you think the fact that a man had tilled a piece of bad land in a congested area as well as it could reasonably be expected to be tilled would be in itself a sufficient guarantee that that man would till well on better land?—It would be a very good indication.

25633. You know the West of Ireland better than I do——?—I hope you will know it better before the Commission is over.

25634. Is it not the fact that there are numbers of people in the West of Ireland who can be described as thrifty, sober, and industrious?—Yes.

25635. Do you believe that all those people should be removed?—As far as possible, I do; as far as the desire to go exists.

25636. I suppose they all desire to go?—No. There are some who don't care to move; and I was going to mention there is another class which ought to be induced to leave, and that is the men with large holdings. These men ought to be offered a great inducement to shift in order that the weak men whom they leave after them will partake of part of the large holdings.

25637. Sir John Colomb.—You refer to the holdings of large holders in the congested districts?—Yes. I mean those fairly large holdings that you will have occasionally. Take a man with say 20 Irish acres—

* See p. 244.

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and there are some of that class to be had—that man will have perhaps three or four sons. I would go the length of inducing that man to leave by not only offering himself a farm equal in size to the one he is giving up, but I would also offer him an additional farm for his eldest son; and I think such an inducement would not be rejected.

25638. Most Rev. Dr. O'Donnell.—That man would know how to till new land better than a person who had been on a very bad farm?—I could not say that because very often you will find a splendid tiller on a two acre patch.

25639. As a rule he would be better?—As a rule he would be a stronger man in means.

25640. The land he leaves would be most useful to the locality?—Yes, most useful, and, of course, I may tell you there are several things here to be got over to induce the people to leave, with which I intend to deal later on.

25641. Chairman.—You say these people should be removed as far as possible. Have you formed any opinion derived from fact as to how far it is possible?—I will tell you the obstacles.

25642. It is not so much the obstacles. Are you prepared to give us an estimate of the size of the joint—to use your own words?—We have over 100,000 acres of untenanted land in the County Roscommon.

25643. We know perfectly well that many of these acres are absolutely useless for farming purposes—mere rocks and bogs?—You will find the people on the rocks, but you will find the cattle on the plains. That is exactly the condition in Roscommon.

25644. If you take the returns put in at present of the amount of untenanted land in Roscommon or any county you like that is really no guide as to the size of the joint?—It would not be, perhaps, in Mayo.

25645. It is not really in any county where there is heather, bog, or bad land. You have to remember that that return includes land which it is quite impossible to farm profitably and which never could be divided up into 30 acre holdings. You have got somehow to find out what the size of the grass land is which can be regarded as being good enough to support people. That is really the size of your joint. When you come here to tell us that there is sufficient land to accommodate the people who can be properly removed from the congested districts and at the same time accommodate the sons of tenants as well in new holdings, I presume you have some basis for your view, and I want to know what your basis is. I don't believe myself it can be done. You say it can. I say tell us why you say it can be done?—I go back on my first statement, that the holder of every uneconomic holding is not a desirable man to change.

Chairman.—In the first place you don't know how many people you want to move. You don't know even the size of the problem.

25646. Most Rev. Dr. O'Donnell.—Comparatively, few would move at first?—There would be a good many, but you must bear in mind that the holdings they leave after them make economic holdings for the others.

25647. The people you were describing a moment ago were the pioneers?—Yes.

25648. Chairman.—Will you proceed?—I think you were engaged talking to Sir Antony when I alluded to Mr. Finucane's scheme.

25649. Yes. I heard you say you agreed with it?—There is another matter I should like to say a few words upon. All things being equal, I would give a preference to the heads of families in placing tenants from uneconomic holdings on the untenanted lands, first supplying those adjacent through a system of enlarging or by migrating where the farm did not adjoin the tenant's holding. The same rule applies to estates or tenants living more remotely. When I stated untenanted land I included non-residential holdings, and in referring to Mr. Finucane's scheme of cutting down, I understood his scheme to be that finding that sufficient land was not available he would then proceed to the curtailment of demesnes and of residential holdings not worked by the occupier. By the time all those classes were dealt with the problem I have no doubt would be satisfactorily solved and the results would produce such immense advantages to the country that all industries would, even in the transition stage, receive such a stimulus that the surplus, if any, not dealt with would have, as in other countries, other ways of getting a living.

25650. Chairman.—You do not define the difference between residential and non-residential?—Between the untenanted land and the non-residential land.

25651. When you talk about a non-residential holding what do you mean by it?—I mean a holding the farmer does not live upon. He grazes cattle on it, and makes no use of it as an agricultural holding.

25652. Again I ask you what you mean by agricultural holdings? They are all agricultural holdings. I suppose what you mean is not tillage holdings?—That is not exactly what I mean. Take a farmer who tills a reasonable proportion of his farm. Take a farmer who would have 100 acres and work 15 or 20 acres. I would call that man a residential holder.

25653. Suppose now you had two farms of 200 acres each, both of them grass farm land let out on the eleven months' system. To begin with I suppose you would call that untenanted land?—Yes.

25654. Suppose then you have two farms of 100 acres each, both bought under the Land Acts by the same individual. That individual has got his house on one of the farms, and he lives in that house. Would you call that a residential holding?—I do.

25655. Whether there is tillage on it or not. Merely because he has his house upon it you would call that farm of 100 acres residential?—Yes.

25656. And the farm of 100 acres, equally good, but with no house on it is non-residential?—Yes.

25657. Supposing the farmer put up a little shanty and put his son in it, what would you call that?—It would be a difficulty.

25658. Would you call that residential or non-residential?—I would call it non-residential if the son did no work on his farm.

25659. But the father does not work his farm from the tillage point of view. His farm is a grass farm and merely has cattle upon it. It is a grazing farm. According to you that farm is obviously residential because the man lives there and has his house upon it?—Yes.

25660. And you say that exactly the same farm, but with no house upon it, is non-residential because nobody lives upon it?—Yes.

25661. Suppose the father builds a house upon that farm and gets his son to live upon it as a sort of manager for him, would you call that farm residential or non-residential?—It would largely depend upon the object the father had in placing his son there. If it was simply for the purpose of retaining that farm I certainly would consider it non-residential.

25662. Mr. Bryce.—On the Chairman's hypothesis the father has bought the two farms. If one of the farms previously had no house upon it and the farmer builds one on that farm and puts his son in it, would you call that farm residential?—I would if he put up a house for his son, and the son lived there.

25663. Supposing you were prepared to break up non residential farms and to divide them among congests, you are not prepared at present to touch the residential farms?—Not to that extent. The first thing I would do would be to see how far the non-residential holdings would go.

25664. But you do not quite follow my point. Suppose we say we are not going to touch for the moment the residential farms, that we think there is a difference between residential and non-residential, and therefore we are prepared to break up non-residential farms and divide them or a portion of them. In order to evade the law a man builds a little shanty and puts his son in it. What do you say in regard to such a case?—I think the tribunal appointed would have to discern between what is a genuine residential farm and what is not.

25665. Then in your view you would have to give a tribunal which is vested with the compulsory power of obtaining land not only the power of obtaining the land but also the power of discriminating between what is genuinely residential and what is genuinely non-residential?—Decidedly.

25666. Would you be prepared to leave that to discretion or would you lay down any rules to guide them?—I think there should be rules laid down to guide them. It is safer than leaving it to their discretion.

25667. What sort of rules could be drawn up? How could you give rules to guide them in such a matter. Are you going to say that where a son is put upon a farm that that does not constitute a *bona-fide* residence?—Well, it would largely depend on the class of man that was going to occupy the new holding. If

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he worked the old one simply as a grazing land and not as a farm I do not think it would be at all desirable to multiply that class.

25668. I take some exception to the phrase working it as a farm. Is it not straining the English language to say a tract of grass land is not a farm?—Perhaps so, but I may convey my meaning better if I say mixed farming—tillage and grazing.

25669 Then you are prepared to say you are so convinced that mixed farming is the proper kind of farming to adopt in Ireland that you practically by law forbid anybody to conduct his farm as a grazing farm?—I would be a strong advocate of taxation on pasture land and the offering of premiums for tillage. In fact, it is really adopted by the Agricultural Department in Ireland. They offer prizes to tenant farmers, and one of the first principles laid down is that one-fourth of the farm must be tilled and under cultivation.

25670 Is it not a strong order to suggest that the State should absolutely dictate to any body of people whether agricultural or otherwise as to how they are to conduct their business?—It is a strong order.

25671. I mean if you are engaged in any business—outside agriculture if you like—would you not very much resent the State coming down and saying "We are so convinced that the proper way of conducting business is such and such a way that unless you are prepared to do so we will practically take away your business from you"?—If it was sound It was under the same principle that England instituted war against South Africa.

25671A. I do not quite agree with you there?—It was the same principle with the work of developing the mines

25672. That is jumping over a good deal?—Mind you, in the Irish Parliament, when we had one, it was one of the rules that the man who tilled was not taxed as much as the man who did not till.

25673 There were a good many rules in the Irish Parliament?—Yes. We were very prosperous when we had it

25674 But you would not like to see all the rules of the Irish Parliament brought back?—I would rather have it as it was than as we are now.

Most Rev Dr. O'Donnell.—Would you not wish to see a good many of them renewed?

25675. Chairman.—Perhaps all of them are not altogether suitable?—To follow up what I was saying, lands I know in Roscommon are deteriorating fast for want of cultivation. They require the people on them Go to Rathcroghan, where I hope I shall have the pleasure of seeing you, and you will find on the Rathcroghan land in the hands of the Congested Districts Board, about 1,000 acres, green, fertile spots, very different to other parts of those farms, and on inquiry as to the cause of those spots being so green and different from the rest so closely eaten by cattle and sheep I found out from the herds that these particular spots were tilled from time to time by the herds on the land and laid out. They then proceeded to another part of the farm and broke up a new garden That is as clear a demonstration as I can give to bring home to you what is the condition of the untenanted lands of my county and the necessity of bringing the people on them They have not been broken up for sixty or seventy years.

25676. Mr Bryce.—Excepting in those spots?—Yes.

25677. Sir John Colomb.—You said that the migrants in your opinion should be carefully selected?—Yes

25678. You say he should prove his industry, and that sobriety is a qualification?—Yes, I am very strong on the temperance question, but I do not want to force it. I generally throw it in as a qualification.

25679 You say that he should have a strong family?—Yes

25680 And I think you say he ought to have some capital?—Yes, money or help. I mean a family of two or three sons, good built men, to work the farm. I call that capital of the best kind.

25681. I did not gather that you had any idea in your mind as to what amount of acreage a farm for migrants should be?—It would largely depend on the quality of the land they go to. For a plain average quality I should say thirty acres. That should be the minimum.

25682. I would like to read you Mr. Parnell's view on the question. He said this in question 5566 of the evidence before the House of Common's Select Committee on Colonisation, 1890—'I would contemplate that the new tenant should pay a rent of £20 a year for his twenty acres.'' Do you generally agree with that?—These are Irish acres he was talking of. We give good measure over in our country

25683. Practically you agree with the evidence given by Mr Parnell. Would you contemplate that the new tenant should pay £20 a year for his twenty acres, which you take to mean twenty Irish acres?—Yes.

25684. I suppose Roscommon itself has gone pretty well into this question of a scheme of migration for the relief of congestion in the county. How many acres of untenanted land would it take to relieve congestion in Roscommon?—I have not gone into it.

25685 You speak of 100,000 acres of untenanted land in the County of Roscommon?—Yes.

25686. But you have not gone into the question of the actual number of congests in the County of Roscommon and looked into the statistics. Can you show how much it would take to remove congestion in the county?—I have figures here before me which I can put in.

25687. In the congested and uncongested parts of Roscommon you make out there are 9,362 occupiers under £2 valuation. Is that correct?—I do not say they are all occupiers. You can make a liberal deduction from those figures. One man might have two of those holdings. One-third of that number would be a very safe estimate.

25688. I see in this memorandum you only deal with the holdings under £7 valuation?—Yes.

25689. Do you stop at £7 because you think that all under £7 valuation require to be dealt with by migration or otherwise?—No, I do not. I simply got those figures for my own information to see how far we could go. I know that those between £7 and £12 are a very much smaller number in proportion In my opinion a man holding land under £10 valuation ought to be eligible for addition to his holding if such were offered.

25690. We have had evidence before from many witnesses who have taken £10 valuation as the dividing line between what is economic and what is not economic. Do you agree?—I do, but at the same time I say that very many holdings in the congested districts with much smaller valuations than £10 may be economic.

25691. That may be, but for the purpose of a rough basis you do agree with witnesses who take £10 as the limit. You admit there may be exceptions and that a £10 valuation may not be as good as a £7 valuation, according to circumstances?—Yes. It is very often attributable to the land on the holding. The class of land a man has is important. £10 may be taken as a rough standard.

25693. Do I understand you to say—taking your illustration of the joint in regard to untenanted land—that you have not examined your own joint in Roscommon by figures?—I have taken it roughly. Of course we have a much larger joint in Roscommon than Lord Dudley seems to think from the figures before him. Untenanted land is put down as land in the landlord's possession and set on the eleven months' system Under heading No. 2 of the evidence I am going to give I wish to deal with another joint, if you like to call it so, that I think can be made use of in relieving congestion without those in occupation being what I consider unfairly dealt with. I mean it would not be such a grievance to take from them land that they never expended one farthing upon and that they acquired through little loopholes in the previous Acts.

25694. This simply gives the holdings under £7?—Yes.

25695. I ask you have you carefully calculated, in regard to these uneconomic holdings under £7, what amount of untenanted land in Roscommon their relief would consume, or what cut off the joint in Roscommon it would take to relieve congestion in Roscommon by giving to those people economic holdings of £10?—I could very easily give you a rough estimate.

25696. It might be more convenient to send in a memorandum. I want to see whether from your knowledge of Roscommon it would take the whole of the Roscommon joint to relieve congestion, taking your

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suggestion as to £7 holdings?—I think you would have sufficient for Roscommon.

25697. But you have not worked it out in figures?—Not just now. I think about 10,000 cases would have to be relieved more or less. You might cut down these 10,000 cases one-half, as the 5,000 would relieve the other 5,000. Allow ten acres for each of those and it will give you 50,000 acres.

25698. Am I to understand that to relieve the congestion existing in Roscommon it would consume about 50,000 acres of "the joint" of untenanted land?—Yes.

25699. But if you deduct from the total amount of untenanted land in Roscommon demesnes, bog, mountain, and other land valued under 2s. 6d. there are only 47,000 acres left?—Yes.

25700. As it would require 50,000 acres to deal with the congestion actually existing in Roscommon, and there is not enough in the joint to go round the small holders in Roscommon—

25701. Mr. CONOR O'KELLY.—Is that accurate? I thought the number of acres in the third column* had to be subtracted from the number in the second column, leaving the balance of land available at 102,000 acres.

CHAIRMAN.—The untenanted land amounts to 119,405 acres. In the last column you have the gross amount of untenanted land, excluding demesnes. That is 102,526 acres. There is a great deal of bog, plain, and mountain included in that. If you deduct from the last column bog, mountain, and other lands, valued at under 2s. 6d. per acre, you get 47,259.

25702. Sir JOHN COLOMB.—So that according to those figures you have to look to that for the relief of Roscommon?—Yes. This is little enough for Roscommon.

25703. You have got to deal with something that is not met by simply dealing with the 47,000 acres of untenanted land?—Yes.

Mr. BRYCE.—That 47,000 acres will just about relieve Roscommon.

25704. Sir JOHN COLOMB.—But "the joint" in Roscommon will only give enough cuts to feed Roscommon itself?—There is another joint I want to refer to.

25705. Most Rev. Dr. O'DONNELL.—Have you got a list of the estates dealt with in your district?—Not with me, but I have them at my finger ends.

25706. What would they be?—Those untenanted lands?

25707. Dealt with by the Estates Commissioners or the Congested Districts Board?—The O'Grady, Young, Balfe, Irwin, O'Conor Don, M'Dermot, and Mrs. Clancy estates.

25708. On those estates how many new holdings have been formed?—Not very many up to the present. The Estates Commissioners have selected their tenants, but the Congested Districts Board have not to any extent.

25709. The Estates Commissioners have selected their tenants. Are they the sons of tenants or migrants from congested districts?—As a rule, I would say, they are about equal. Some migrants and some the sons of tenants.

25710. The migrants are the people who surrender their own holdings for enlargement?—Yes.

25711. How many of those would be dealt with by the Estates Commissioners?—About 100.

25712. It is a comparatively easy thing to divide grass land among migrants who come to it compared with the rearrangement of the holdings left behind for the relief of congestion?—Very much easier.

25713. When you take migrants to grass land or the sons of tenant farmers it is not so slow progress to divide the land amongst them?—No.

25714. But when you come to deal with the holdings they have migrated from it is a slow process to rearrange that property?—Yes.

25715. The re-striping is necessarily slow?—Very.

25716. It is quite a different thing from carving out new holdings on grass land?—Yes.

25717. With reference to that, have you observed the work of the Congested Districts Board in your neighbourhood?—Yes, and the work of the Estates Commissioners as well.

25718. Are you aware that the Congested Districts Board under the statute was originally supposed to give no land except to a person from a congested area?—Yes, it is a great difficulty, and it does not allow the Board to work as well as it otherwise would.

25719. You consider that progress cannot well be made unless there is power to enlarge the uneconomic holding which is nearest?—Yes. In fact—if you will allow me, my lord—I have made strong recommendations to Mr. Doran not to deal with some estates adjoining uneconomic holdings until we have the hope realised of having the Bill so amended that he might be able to assist those.

25720. Do you consider the uneconomic holder should have his holding enlarged whether he is in a congested district or not?—Certainly.

25721. Would you begin with the head of a family who is nearest?—Decidedly.

25722. Take the case of relieving congestion; when would the claim of the sons come in?—Where the claim of the sons comes in I would say would be when they contribute—I am dealing now with the work of the Congested Districts Board—I should say that the claim of a son should come in when he contributed to working out the scheme of migration through being the son of a man who had a substantial holding in the district where the giving up of the father's holding would contribute to supply the wants of four or five small holders, who would not be in a strong position for moving, and who would not be exactly perhaps the class of people that would be best suited for the untenanted land.

25723. The son of a tenant then would come in by co-operating in this programme for relieving congestion?—Yes, that is what I suggest.

25724. I understand you. It is an excellent programme, the providing of holdings for the sons of tenants. That programme is connected with the great difficulty of stemming emigration from a district, and creating additional homes?—Yes.

25725. But it is not a scheme that would be directly before a body mainly constructed for the relief of congestion?—No.

25726. That body would be mainly concerned with providing larger holdings for families when their present holdings are too small. That, of course, is the work?—Yes, of the Congested Districts Board.

25727. Do you think, from your experience, has the Congested Districts Board given any of these holdings to any man who has not already surrendered the old holding, in the place he left, for the relief of congestion?—I never knew of that except in the case of herds. They had made an application, and you could not pass them over.

25728. That is their programme?—Yes.

25729. Have you before your mind any definite experience that would suggest the answer you have given, that in re-striping in the district from which the congests migrated a great deal of time and care is expended?—Yes, and I may mention here that the work of the Congested Districts Board is admirably done. They do not part with an estate until they have improved it as far as could be reasonably expected. Now, what I have observed in the work of the Estates Commissioners is this. I think their rule is to estimate the amount of money that it will be necessary to expend on the estate, and that sum having been exhausted they stop there, even though an additional sum of not a very large amount might leave the estate in a very much better condition. That is my experience.

25730. Taking your wide experience in the West of Ireland into account, is it your belief that the method of the Congested Districts Board is the right one in dealing with the enlargement of holdings and the providing of holdings for a poor population?—Unquestionably.

25731. You think the Congested Districts Board is on the right lines?—Yes.

25732. Do you think any slowness that has been found in their operations was caused by the necessities of the case?—I do not think that such slowness was attributable to the Board itself. I think, of course, there have been delays, but I understand these delays cannot be attributed to the Board. There is a lot of unavoidable red-tapeism. We would be very anxious to see the Board get on with an estate as quickly as possible and deal with it, but my own opinion all along was that the Board, when dealing with the tenants on an estate, did the best they could, and I was in the habit of saying to tenants that the longer they were on the estate the better for them, because their work was so profitable to the small tenants, not alone in the way of giving employment, but in the improvement of the holdings.

25733. I never heard from you before what your view was, but I was anxious that you might state it, whatever it was, to the Commission. I suppose you know,

* See Appendix to Third Report of the Commission [Cd. 3,414, 1907], p. 319.

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Mr. Fitzgibbon, that when migrants are settled on the new holdings it is of importance that there should be some one planted there—a practical agricultural instructor—to show them by example how the holdings should be worked?—Yes, that is my view. And if you were at the last meeting of the Congested Districts Board you would have had evidence upon that from a report made by Mr. Doran, who had a conversation with me previous to the meeting as to what ought to be done in the way of providing a resident instructor. The Board, for instance, has a number of houses scattered here and there throughout Connaught in their possession that were formerly the residences of some men dead and gone—some small landlord or other, as the case may be. What I suggested to Mr. Doran—I do not want to exactly say that I can take credit for the entire suggestion, but at all events the same thing was running in both our minds—what I suggested was that an instructor ought to be placed in the centre of, say, 400 or 500 of these new holdings created on untenanted land; that that instructor would just get two farm labourers who would meet about the amount of work or general employment on a twenty or twenty-five acre holding; that each instructor would just have a twenty-five acre holding and no more, or a holding similar in size to the 400 or 500 about him; that he would work that holding according to the advice of the Department, or the Congested Districts Board, or the County Committee as it should be worked, with mixed farming, showing the people how to till the land and work it profitably. Because you must bear in mind that the tenants taken from the poorer districts were in the habit of dealing with a poorer class of land, and that it is absolutely essential to have men acquainted with the class of land they are taken to to give them directions as to the best way to manage their small farms. Now of course there have been instructors—any number of them going about the country lecturing, but these lectures, delivered by men to small farmers who are very often not very intelligent—a fraction may know exactly what the instructor is speaking of, and may take in what he says, but a smaller fraction still carries out his suggestions, but having a farm worked as it should be in their very midst is, I maintain, the most practical way to bring home to them how their own farms ought to be worked. They will, at all events, have the experience and knowledge gained by seeing where their own system is defective—whether the one adopted by themselves or the one adopted by the Department is the best for taking the profit of the land.

25734. What you say is an obvious necessity if migrants are to succeed?—Yes.

25735. But, Mr. Fitzgibbon, it seems that if the land is to be acquired for migrants from the congested areas, special precautions have to be taken. If special precautions are not taken, ultimately a great deal of the land will pass into the hands of the sons of tenants rather than be reserved for the relief of congestion. You have told us that it is a good programme to provide for the sons of tenants, but that you do not consider it quite so necessary a matter as to get sufficient land for the heads of families who have not sufficient holdings at present. What are your views on that?—Of course my views are very strong on the question of providing young men with holdings and trying to keep them at home But, as I have already said, all things being equal, if you find the same class of men married with families, I say unquestionably I would give the preference to the head of a family who would be equally suited. I would not go further than that. I would be no advocate of taking from the congested districts the lame and the blind.

25736. You told us that in a very clear way this morning You would exercise great care according to the rules which you enlarged upon in answer to Lord Dudley, so as to ensure that the people taken from the congested areas could have a fair chance of success?—Yes.

25737. I also learned from you this morning, although you did not put it that way, that you would not take people from the very poorest land to put them on the larger farms, that you would have a sort of graduated scale?—I did not say that. I certainly did not mean to convey that meaning.

25738. But, at all events, you are in favour of taking the bigger men in congested areas and moving them on to the grass lands, with a view to obtaining their larger holdings in the scheduled areas for the enlargement of the smaller ones?—Yes; I say that strong inducement ought to be offered to that class of man; because I know a number of the small people are rather nervous about going under what they consider high rents; in fact, I know their sentiments and feelings so well that I know as a choice a great many would prefer remaining at home, and getting enlargement of their holdings there. And, of course, for economic reasons, if you shift one man, and by shifting him you improve his condition, and are thereby enabled to help the poor left behind by the division of his old holding, it is a very much less expensive process than the erection of new houses further away.

25739. Although, in answer to the Chairman, you could not exactly say—and I think it would be very difficult for anyone to say—the number of people who are likely to leave the congested areas for these new holdings, you appreciate the view that a great many would leave their holdings to go on to the grass land?—Yes, that feeling is growing.

25740. How do you propose to prevent the grass lands passing away in that part of the country altogether? How would you propose to have these grass lands preserved for the poor of the congested areas, who may be soon willing to migrate from them?—Well, I think that for a time as the suitable people offer they ought to be helped; but I think, also, that the Board's practice of keeping on hands a quantity of grass lands answers the purpose. First, it enables them to look around, and bring in contact with these lands a number of the people, who might afterwards migrate to them. I mean in this way——

25741. Chairman.—I do not think Mr. Fitzgibbon quite appreciates your point, Dr. O'Donnell?—Oh, yes, I do, if you will hear me. I mean to bring them in contact in this way—that people from these congested districts have from time to time their young stock to send out to grass, and these farms in the hands of the Congested Districts Board provide these people with grass for their cattle and hay for the feeding of the cattle, and it has, in fact, enabled many to have more tillage at home than they otherwise would have, by sending their cattle out to grass, the Congested Districts Board giving them the grass at least 25 per cent. lower than they were in the habit of paying for it. Then there is another point that that carries us to. It has entirely destroyed, to the advantage of the people—at least it has interfered, to use another word, largely with—the class of men known as "grass-jobbers," who simply work a number of farms in the County Roscommon without any capital. They simply take the lands from the landlord on the eleven months' system, and then receive the cattle from these people Now the effect, unquestionably, of the methods adopted by the Board has been that it is bringing a lot of land into the market, and removing a lot of difficulties in the way that otherwise would confront them in the acquiring of these lands. Then these poor people coming with their cattle, see these lands, and they are getting the light, and in many cases I know myself of people who had no idea of leaving the congested districts, having within the last month made application to the Board for holdings on these lands.

25742. Most Rev Dr. O'Donnell.—Therefore, your answer to my question about what you would do in order to secure the lands seems to come to this, that the public authority charged with relieving congestion should try to acquire in advance these tracts of land. You have intimated that it would be rather a good policy to keep them some time in hands?—Yes.

25743. The advantage would be two-fold. First, while on hands they might be used as grazing for the advantage of the people subsequently to be planted there, and during the time they were so used the people to whom they were to be granted would have an acquaintance with them?—Yes.

25744. Then there would be this further advantage, that by some delay of that kind you would be enabled probably to make a selection among your candidates?—Quite so.

25745. The number offering would be larger?—And also of a better class.

25746. The number would be larger, because, owing to the acquaintance with the lands, there would be an inducement to people to come?—Yes.

25747. And subsequently, the body charged with relieving congestion would have an opportunity of

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adopting some sifting process that you told us was a necessary thing?—Yes.

25748. Does that quite state the advantage?—Yes. Of course, there are other inconveniences that ought to be met. First, the want of turbary. That is one great obstacle in the way of migration—the people have been so convenient to the turbary in their small holdings, and if removed on to these lands, they will have to go some miles in some instances for turf. Of course, that could be met by having peat industries. There are any amount of bogs at a distance, and if a man could take in one load sufficient fuel, or an equivalent of what he could take of compressed peat, that would meet the objection.

25749. Mr. Bryce.—You might explain that. I do not understand it?—Well, there is peat. That is the bog compressed.

25750. Do you mean to compress the peat. If you do I quite understand you?—Yes. Then the next objection is this, and of course it is one that the Congested Districts Board can easily meet, namely, the parting with old associations. The way to meet that is to transplant those people coming from the one neighbourhood on to the one locality as far as possible. Those are the two great objections, and, in my opinion, they can be dealt with.

25751. Most Rev. Dr. O'Donnell.—And, as you are dealing with objections, please deal with this objection which has proved rather a troublesome one. You have fairly dealt with it already, but a few more words would be useful. Those to whose neighbourhood the migrants go sometimes do not make them welcome. There is a show of opposition How do you propose to remove that objection to the incoming of the migrant?—Yes; I am very glad you remind me. That is one of the points I wish to make. Now, Mr. Finucane gave evidence before the Commission of some trouble that was created on the Balfe estate. He just gave it as an instance, and how this thing could be overcome. Now, in my mind it is a very good illustration of how, for want of tact—it may not be complimentary of me to say it—for want of tact and judgment that difficulty was created. Mr. Barley and Mr. Finucane, along with Mr. Stuart were down in the West. The Balfe estate is about sixteen or seventeen miles from the Rashleigh estate, and in order to prove that men go from a congested district to untenanted land, Mr. Finucane asked these men on the Rashleigh estate if they would take some holdings on the Balfe estate and leave their own. They replied, that they would like to see what they were going to get, and on that invitation they proceeded to the Balfe estate. When they arrived on the Balfe estate they came there as strangers. They were not known. They had never seen the Balfe property before; they simply told the adjoining people their business, and the people adjoining naturally said to them that they had no business there, that they were not of the parish, or something to that effect, with the result that the Rashleigh men went back. Now, Mr. Finucane states that difficulty was got over, and I think, if I do not mistake, he mentioned that some local gentlemen assisted them in getting over that difficulty. Well, I think it must have been myself he had in his mind, but I did not assist them in getting over that difficulty, and I hope they will not create a further difficulty by persisting in having these men taken from the Rashleigh estate, because within one mile of this estate, or less than one mile, the same class of tenant can be got to occupy these holdings as those taken from the Rashleigh estate, and my contention is that those men ought to be first provided for in order to have the scheme of migration worked successfully.

25752. That is your remedy for the difficulty on the part of those to whose neighbourhood the migrants come. People of the same class in the district are not to be treated worse than the migrants who come from a distance?—Quite so. You are enlisting the people of the same class in the district, and they will then welcome those coming from other parts.

25753. They are all in the same boat?—They are all in the same boat.

25754. Mr. Bryce.—Do I understand that these people were not of the same class as the people on the Rashleigh estate whom it was proposed to migrate?—No; they were not. But within three miles of the Balfe estate, in the same parish, they could have got plenty of people; and in fact I want them at this moment to take people from a scheduled area within three miles of the Balfe estate, instead of these Rashleigh people.

25755. It was only illustrating this point in association with the question put to you by his lordship, that it seemed that the Congested Districts Board, or somebody or other wanted further powers to take people of a poor class who ought to be scheduled as congested and include them as congested?—Yes.

25756. Mr. O'Kelly.—I think you said, if I remember rightly, that you would acquire the new residential grazing farms for the purpose of relieving congestion, treating them in the same way as you would treat land let on the eleven months' system?—Yes.

25757 In that I quite agree with you. I daresay you know, as I know myself, that there are shopkeepers in the towns in Ireland and people who live in the the town, who take this land immediately contiguous to the town, or a distance from it. Let me now take the case of a shopkeeper in the town who would not be able to make a living (and I know many of them) from his shop, and who may have fifty or sixty acres of land in the country with a valuation of £25 or £30. Would you propose that class of farm as among those that should be resumed for the purpose of being divided among the small occupiers. Would you make a discrimination between one sort of non-residential farm upon which a man depends for a livelihood, and another non-residential farm owned by a man who works his own home-farm, which is ample for the needs of his livelihood?—I would certainly draw the distinction.

25758. You would like to have a discrimination made?—Yes, because I think if a man lives by the farm he should go live there, because I am afraid there would be abuses. It is very hard to draw the line.

25759. Would you say farms under a certain valuation ought to be excluded from the operation of the law?—I think it would largely depend on——

25760. It would be a wide discretion?—It would be a wide discretion. I don't think that there should be a hard and fast rule.

25761. But I think you will agree with me that it would be a hardship upon men who live in the towns and who have farms, say, two or three miles away on which judicial rents are fixed, that these farms would be taken from them by process of law?—I don't think it would be a hardship if they are the class of farm I mention; if they did not work the farm as a mixed farm. I consider that these farms ought to pass into the hands of men who would take from them wealth for the country at large.

25762. I dare say, in common with all of us, you are aware that since this Commission was started holders of large grazing farms are putting up buildings upon their non-residential grazing farms as a precautionary measure against any future legislation?—That is the first I heard of it. I just heard that one man had an architect or builder on the ground in Roscommon.

25763. I know it is the case now in Mayo?—I hope not to any very large extent.

25764. I think it will be larger, but there are several cases. Have you formed any opinion at all as to whether it would be wiser to have one authority in the country dealing with the land than two?—It is a matter that I have to refer to further on in my evidence, but I will tell you right off that having two men working at the same joint is not the best method.

25765. Most Rev. Dr. O'Donnell.—You are speaking of the relief of congestion?—My idea is that the Province of Connaught should be dealt with by one body.

25766. Mr. O'Kelly.—Would you say that a body with very long experience of dealing with congestion would be able to deal with it more effectively than a body rather new to the work?—Suppose the work were handed over to the Congested Districts Board that body ought to enjoy the same powers as the Estates Commissioners do and have power to deal with the sons of tenants as well as with the relief of congestion and the creation of new holdings.

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25767. About the Congested Districts Board, there is no doubt from the business point of view that they are the men of experience?—If you want to carry out any difficult work you look for men who have bad experience in carrying out that work. I have the highest opinion of the manner in which the Congested Districts Board has carried out its work. I believe also that it is absolutely necessary to have a body such as the Congested Districts Board, perhaps strengthened by having at least one man from each county on the board, and in that way make the matter of settling Connaught a national one rather than a local one.

25768 In any case you think it would be a great mistake to have two bodies doing the same work in the same province?—Yes. I can give several instances during my evidence of overlapping and of the undesirability of having two bodies engaged at the same work. I believe myself that the men at the helm of each of the departments, the Congested Districts Board, the Estates Commissioners, and the Agricultural Department, should on many occasions sit at the same table; but I think it most desirable, and I think it would work well in the interests of the country, to give the Estates Commissioners the other three provinces to deal with.

25769. The non-congested counties of the other three provinces?—That is a matter of detail—as to whether you would hand over Donegal to the Estates Commissioners.

25770 Mr. Bryce.—And portions of Kerry also?—I think the Congested Districts Board would have as much as they possibly could do in Connaught. I believe in the other three provinces the Estates Commissioners can show what they can do with the same class of work in the matter of improving uneconomic holdings or creating new holdings.

25771. You would not hold out any hope to the Commission or to the country of schemes of migration from the other Connaught counties into Roscommon being likely to be successful?—Not until Roscommon was first helped; I don't think it would be desirable.

25772. In your opinion it would be unfair to discriminate between the same class of occupiers congested in Roscommon and those in the other counties?—I would not put it in that way. I would not say it is unfair. As far as my own personal views are concerned an Irishman in Kerry is an Irishman to me as well as the man in Roscommon, but for the purpose of having things work well you must pay due regard to the sentiments of the people, and in order that they may settle down properly you must do things in such a manner as to cause no friction.

25773. Your point being that if the available grass lands in Roscommon were handed over to migrants from Mayo, Galway, Leitrim, and Sligo it would be stereotyping the congested character of the holdings that would be unimproved in Roscommon?—Yes.

25774. And consequently supposing that these schemes could be carried out successfully, and all the available grass lands in Roscommon handed over to migrants, you would have left then in Roscommon a large number of occupiers of uneconomic holdings, and the only way in which to relieve these occupiers would be to migrate them in turn elsewhere. The land necessary to relieve congestion would be handed over to these others. Consequently if they were to have any improvement in their condition they should be migrated somewhere else?—Outside Roscommon?

25775. Yes, because all the available land in Roscommon would have been given to migrants from Galway and elsewhere?—Yes, of course. It would simply mix up the thing.

25776. Therefore you think you have only just enough land in Roscommon to look after Roscommon congestion?—We have a great deal of land in Roscommon, of course

25777. Most Rev. Dr. O'Donnell.—I think you said that when you came to the second joint in Roscommon you would find more?—Yes.

25778 But you did not go on to that yet?—Yes.

25779. Mr. O'Kelly.—I know you are a man of very large experience in those matters, and I have a very great respect for your judgment. Take the case of a large grazing ranch purchased by the Congested Districts Board. Close to that estate you have another, owned by a different owner from the owner of the grazing ranch. The landlord of the neighbouring estate on which there are several uneconomic holdings first refuses to sell. Afterwards he enters into negotiations with the Congested Districts Board. The tenants go to the Congested Districts Board and ask the Board not to divide up the grazing ranch among migrants until such time as the negotiations with the landlord of the neighbouring property should be brought to a close, in order that these congests should share the advantages to be derived from having the grazing ranch distributed among them. The Congested Districts Board yield to the wish of the tenants and say all right. One of the officials of the Board says, "We did intend to give the grazing ranch to migrants, but we won't do anything with it at all until such time as the owner of the neighbouring property sells; we won't do anything with it for six months" Two or three months afterwards the Congested Districts Board officials go on the property and bring prospective migrants there The people rightly or wrongly resent their coming, and there is some trouble between the prospective migrants and the men who are dividing up the new land for them Would you think it a reasonable thing for the Congested Districts Board to do, and desirable that it should be part of their procedure that considering this little trouble the Congested Districts Board should say to the tenants, "Now because of this trouble we at once break off all negotiations with the landlord of the neighbouring property; we will not buy from him," and then bring the negotiations to a close?—It would be very imprudent.

25780. I am glad to have your judgment in this matter. I am describing the action of the Congested Districts Board with regard to the Begley property, two miles from the town of Claremorris and the Castlegar grazing farm?—I am not sitting in judgment on the Congested Districts Board.

25781. I am just asking your opinion?—I think from the statements I have invariably made that migration and the work of the Congested Districts Board have to be carried out with the co-operation of the people for the interests of the country as a whole, and that the best way of carrying out their work is by avoiding, as much as possible, creating trouble for themselves.

25782. Take a case of this kind where you have a number of people more or less resenting the incoming of people from a distance. I don't say it is a right or a wrong thing to do?—Human nature is human nature There are the fields right opposite to them They are looking at them in their immediate vicinity. It is as natural as possible that those people would feel quite jealous of people taken from a distance, partaking of what they cannot even sneeze at.

25783 My point is this, that all the grazing land surrounding this small Begley property has already been disposed of and divided among Congested Districts Board tenants around this town. Suppose this grazing ranch, the one that is left, is given to migrants you will have this Begley property absolutely imprisoned in its congested state?—I quite understand that. That is one of the arguments I will introduce in my evidence in favour of compulsion, in order to have the remedy at hand to treat the disease.

25784 Mr. Bryce.—But in this case it is not a question of compelling, because the landlord seemed willing to sell?—Yes.

25785. Compulsion would not come in at all?—Yes, but there are cases of the same nature which require compulsion.

25786. You say you would prefer to migrate a few large tenants so that their holdings would give relief to a larger number of small tenants?—It would be more economical.

25787. Mr Doran, in a report which I have here, gives instances of 117 cases of migration, and of these only seven or eight were from holdings beyond £10 valuation. That shows you don't get the big graziers to migrate as far as the principle of migration has gone?—Yes

25788. It will be a matter of a little growth?—Yes. I pointed out to Mr. Doran that I did not believe

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the inducements offered by the Board were presented to the larger tenants, because the larger the holdings given up the lower the rent on the new farms would be. The amount of money allowed the tenant of the small holding for giving up his interest is very small and has a very small effect in reducing the rent on the holdings they go to, whereas in the case of the large holding a considerable sum is taken from the rent. Now, the small men are the men who have gone into the office and found out the rent. These people go back and they say, "25 shillings an acre for holdings"—an Irish acre of course. The large landholder has not gone to the trouble of seeing what he will get. That is another objection. The smaller the holding surrendered the larger the rent.

25789. I understand what you say about giving inducements to the larger men to migrate by offering holdings to their eldest son. I gather from you that what Professor Campbell said about the desire of the Irish peasant to escape from the land is not a statement that you agree with?—It is simply the statement of a Scotchman who knows nothing at all about our countrymen when he says so.

25790. With regard to compressed peat, would not the weight of a load of it be so heavy that a cart which carries a load of turf would not carry a load of the peat when compressed?—The country horses will draw 25 cwt. of compressed peat. That will answer the same purpose as a clamp of turf that a horse will require to draw in five loads.

25791. The one load would carry five times the supply of the other?—Yes.

25792. With regard to your suggestion about strengthening the Congested Districts Board by adding a member for each county, how would you propose that those men should be chosen, by election or by nomination?—That is not a matter which engaged my attention, but the County Council could do so. I don't say that in all cases you would get the right men, but I think it would be very easy to nominate.

25793. You would have no objection to nomination?—The fact is you might get on the wrong men either way.

The Commission adjourned.

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FIFTY-SEVENTH PUBLIC SITTING.

SATURDAY, MARCH 23RD, 1907,

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; JOHN ANNAN BRYCE, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

Mr. JOHN FITZGIBBON further examined.

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Mr. John Fitzgibbon.

25794. CHAIRMAN.—Mr. Fitzgibbon, before we go on to other matters, I want to ask you a question about a view which I understand you expressed last night just before the Commission rose. I am told that you expressed the view that the Congested Districts Board should be given full powers in Connaught?—I did; but, pardon me, I was taken out of the order of my evidence, and I intend to deal with that a little later on, and when people that are interested in the question may be present, such as Mr. Conor O'Kelly.

25795. We will leave that, then, till we come to it later; but I want to give you some figures which you might, perhaps, like to make a note of, and if, later on, the gentlemen deputed by the United Irish League care to come and make remarks upon them their evidence on that point will be received very willingly by the Commission. Let me give you these figures?—Of course, you understand the capacity that I am in here. I am representing the United Irish League, the entire organisation in Ireland. That is my position. And, then, I am selected also by the Roscommon County Council to give evidence for Roscommon at any time that you may reach that.

25796. What I mean is this—that I cannot call upon you to criticise these figures now, not having had time to consider them, and perhaps you will not have time to consider them before the adjournment?—No; but as your lordship is anxious, and the Commission is anxious, that you should have my views as to the way that we proposed to carve the different joints, I prepared my scheme, and I am giving the figures this morning.

25797. That would be very interesting; but before we get to your scheme I should like you to take a note of these figures if you would care to consider them. The first figures are taken from a table supplied to us by the Estates Commissioners, and they appear upon page 319 of the Appendix to our Third Report. Table I. shows the amount of untenanted land in Ireland. You will see that that table refers to land in the whole of Ireland, divided into provinces?—Yes.

25798. And if you look to the bottom of column three you will see that according to this table there are 1,017,879 acres which, in the opinion of the Estates Commissioners are suitable for breaking up into small farms in which to put migrants. You see that at the bottom of column three for the whole of Ireland?—Yes.

25799. Now, of course, this table does not profess to be more than approximately correct, but taking that as about the amount of untenanted land available, if you divided that up into thirty-acre farms you would only be able to accommodate about 34,000 heads of families, and, moreover, I want to point out to you that those million acres include Meath and Kildare counties, and the good lands in Tipperary and Cork; so that if you agree with those people who have given evidence before us that it would not be advisable to break up the very best lands, then you have to make a very considerable deduction from that million acres in respect of those lands?—I do not agree with that.

25800. But there are a good many people who take that view, and, of course, that would have to be considered.

Sir FRANCIS MOWATT.—Of course, the whole table is available in detail.

25801. CHAIRMAN.—Then, Mr. Doran gave us an estimate in his evidence that there were 80,000 heads of families still in the congested areas. That excludes people who are outside congested areas, and who may be just as poor as some of the people inside the congested areas. Then, if you look at page 353 of our first Report, you see there figures taken from the Census returns of 1901.* In the first table you will see that the number of holdings in Ireland of above £50 valuation is 41,000. Then if you look down to the next table you will see that those 41,000 families occupy about six and three-quarters million acres. Take the last four columns of the second table, and if you add them up together you will find that it comes to about six and three-quarter million acres. Now, if we deduct fifty-acre holdings for the 41,000 families that already live on that land that means that we have got to make a deduction of two million acres. That means that you have got then those 41,000 families living on fifty-acre holdings, and you have got four and three-quarter million acres to deal with?—That is the surplus.

25802. That is the surplus. That four three-quarter million acres divided into fifty-acre holdings would allow you to deal with 100,000 families. Have you got notes of all that?—Well, if you would kindly allow me to go over these figures during the luncheon hour, because I think, my lord, that when you hear my scheme it will clear the air a good deal.

25803. It is just to take a note of this?—I thank you.

25804. If evidence is tendered afterwards upon this I should be very glad, and it is desirable to point out that so far as we can see—so far as I can see, at any rate, for I am only speaking for myself—that that is really the size of the problem so far as figures can show. And these second figures that I have given you, of course, contemplate a reduction of all large holdings in Ireland to fifty acres; that is to say, that under a scheme of that kind you would level down everything in Ireland to a maximum of fifty acres; and even if you did this, you would be able to accommodate only 100,000 families on fifty-acre farms. I put these figures before you in connection with your remark yesterday that in your opinion, if the joint was properly carved, there would be plenty of land to provide holdings for all classes of tenants. That is all I want to say.

25805. Sir FRANCIS MOWATT.—As regards taking a note of this, it is a difficult thing to take down a note, but his lordship has been practically doing that for me, and you will find it all on the proof of your evidence, which will give you the note perhaps in the best form for consideration?—I do not intend to dwell on that matter just now. In fact I will perhaps leave that to abler heads. I will just give you my own views. In the opinion of the vast majority of Irishmen, Ireland has gone into decay, through not being permitted by England to carve her own joint. It has invariably been spoiled by English cookery, and consequently little nutriment left for Ireland's nourishment. Lord Dudley, and the members of the Commission desire me to give them a specimen of how I would

* First Report of the Commission [Cd. 3267, 1906], p. 353.

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provide for the congests, in the West, as well as for the young men of that province and of Ireland throughout. I find, to satisfy their wants, and thereby build up a strong and healthy nation, three large and substantial joints are necessary. Money can purchase them; two of them can be had without any difficulty, and quite probably the third. I will describe them as Nos. 1, 2, and 3, and I begin to serve from joints Nos. 1 and 2 at the same time, and it is quite possible that No. 3 might have to be sliced also, for reasons I will give you later on. No. 1 joint consists of all the untenanted land in the landlords' hands, and generally known as that let on the eleven months' system. No. 2 joint comprises all non-residential holdings over twenty-five pounds valuation that have been purchased under the Act of 1903, or previous Acts, or that are held in fee-simple, and the third joint is taken from large grass tracts attached to demesnes that are not of the demesnes but simply used as grazing farms, and I would just leave the owner of the mansion the land considered to be in the proper sense a demesne. I would, still further, curtail demesnes belonging to absentee landlords, who rarely ever reside in the country, and who neither sow nor reap, and whose demesne lands are year by year deteriorating. I would also cut down large residential holdings to the valuation of one hundred pounds that will be found to have been used in the main for grazing purposes hitherto, and the reason I say "hitherto" is that of course if people found that they could hold them by tearing them up they might just go through a little performance in turning a new leaf; these holdings are not possessed of the feeding qualities that they should have, due to the want of cultivation. I would then proceed to serve each county, giving to each as much of the three joints as it contributed, and before I would transfer migrants from one county to another I would exhaust the resources of that county for two reasons. First there is a great reluctance on the part of the peasant to leave his own county, particularly if he finds he can be fairly dealt with there. The second reason is that the people in the bordering county would not have the same grounds for objecting to the migrants when they would get to understand that nothing was left for them out of their own portion of the joint. In helping those in need from my three joints I would first serve those classified by me on yesterday, and what they would leave behind would be found to go a very long way in appeasing the appetites of the balance. But as every square yard of land in Ireland that can be rendered capable of production is necessary every facility ought to be afforded for the reclamation of waste lands, and where found unsuitable for tillage should be reserved by the State for planting purposes, and would, in the opinion of scientists, alter our climate considerably. My method of providing the joints, as well as the serving of them, I consider should be applied not alone to the Province of Connaught but to each of the other Provinces if finality be the object in dealing now with this question. Lord Dudley seemed to think on yesterday that it was rather hard lines on a farmer not to be permitted to work his farm according to his own way of thinking. I beg to point out to him that Ireland is rich in resources, if we are permitted to develop them. The thousands upon thousands of broad acres that we want the people placed on can be said are simply in the raw condition, they require to be worked or manufactured, so to speak. They are the Irish gold mines, and we have no need of sending to Germany or China for the miners, we have lots of them of our own kith and kin in exile and at home anxious to be equipped and to work them in the manner they should be, enriching themselves in the first instance, and distributing through the entire land the fruits of their labours. The land of Ireland is the basement we are going to build on; the men in whose hands they are, have not made that use of them that Providence intended they should have; we, therefore, want the idlers off; they are few in number, and the workers, who are to be found in large numbers, are ready. The joints needed are there; the expense incurred in carving them and serving out the parts is the difficulty, but it must be got over. As I pointed out on yesterday and the day before the landlords got the whole of the loaf except that heel of £200,000 for the tenants evicted since 1879, and in addition got their bread buttered on both sides by the increase in the number of years' purchase paid by the tenants, it is only fair that this should not be an entirely one-sided bargain, and have the tenants of Ireland left without being helped to either bread or butter in this transaction. The Landowners' Convention representative, Mr. Boyd, stated that the landlords were willing to accept a purchase price for their lands after deducting 10 per cent. for the savings in cost of collection and other incidental charges, a sum that would realise for those who invested in gilt-edged securities 3½ per cent. and in the case of western estates he seemed to think that a line should be drawn. But he contended that in the case of encumbered estates the owners of same should receive the same prices, which of course would, in many instances, bring the landlords' net income to 5 or 6 per cent., and as the majority of estates in Ireland are encumbered I consider that it would be only reasonable that the advantages, or rather the differences between 3½ per cent. and what would be found the saving in the reduction of mortgages were kept apart as an auxiliary fund for the re-settlement of the people on the untenanted land. Now, of course that is as far as I wish to go just now on that particular point.

25806. Sir John Colomb.—Would you be so kind as to read that last sentence?—An auxiliary fund for the re settlement of the people on the untenanted land.

25807. No, but the beginning of the paragraph, just to make clear what you mean by an auxiliary fund?—The landlord's net income. I am dealing now with encumbered estates, and of course you will remember that Mr. Boyd made a great fight to have the landlord's 3½ per cent., say, accepted as a basis for getting net income. And then in the case of encumbered estates, he wanted of course to bring it out so that the unencumbered landlords should receive 3½ per cent. for their investments, and of course that would be the total purchase money less cost of collection. Then he wanted to make out that it would be unjust to the encumbered landlords not to give more than their net income. And I had better read my own words now:—"Mr. Boyd stated that the landlords were willing to accept a purchase price for their lands after deducting 10 per cent. for the savings in cost of collection and other incidental charges, a sum that would realise for them when invested in gilt-edged securities 3½ per cent., and in the case of Western estates he seemed to think that a line should be drawn" (He did not expect so much.) "But he contended that in the case of encumbered estates the owners of same should receive the same prices, which of course would in many instances bring the landlords' net income to 5 or 6 per cent" (that is, from the reduction of mortgages); "and as the majority of estates in Ireland are encumbered I consider that it would be only reasonable that the advantages, or rather the difference between 3½ per cent. and what would be found the saving in the reduction of mortgages, be kept apart for the re-settlement of the people on the untenanted land."

25808. Sir Francis Mowatt.—Just one question. That suggestion contemplates that the difference between encumbered and unencumbered estates purchase money should not affect the price paid by the tenant?—Quite so.

25809. They would pay the same price whether it was encumbered or unencumbered?—Yes.

25810. And what I may call the bonus on the encumbered estate should be set aside to form this fund that you call an auxiliary fund?—Yes; in other words, that the State should save in the reduction of the mortgages.

25811. Sir John Colomb.—And the tenants would pay exactly the same for the property. Two properties being exactly alike they would pay exactly alike?—Yes, quite so, if you want to have uniformity of price.

25812. I do not like to unduly press you as to details, but I am not exactly clear, when you were talking about 5 per cent. and 6 per cent., as to what was in your mind. 3½ per cent. was the rate of annuity which Mr. Boyd said should be the basis for calculating the income the landlord should get for the money received. Is not that so?—Yes.

25813. And when you talk about 5 per cent. and 6 per cent. you mean, assuming that the mortgages are 5 or 6 per cent.?—Yes. I will just now take an estate of £10,000 a year. It is not uncommon to find such estates in Ireland.

25814. Sir Francis Mowatt.—Has an average landlord that?—Well, a good many of them, like the De Freyne estate. The Dillon estate was £20,000 a year. Of course you can take it at £1,000.

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25815. Sir John Colomb.—But probably the £10,000 a year of an encumbered estate means the gross rental?—Yes. That less cost of collection would be £9,000 a year. The purchase price of that would be £180,000 at twenty years' purchase, plus the bonus, which would bring it up to £201,600. Well, we will just imagine there are three sets of mortgages, £50,000, £30,000, and £20,000, first, second and third mortgages, the £50,000 at 4-per cent. (I am just giving what I know would be the custom), the £30,000 at 5 per cent.; and if there is to be a third mortgage and that £20,000 is required the interest they will probably have to pay is 6 per cent, making a total of £4,700 a year.

25816. Charges on the gross rental?—Yes, charges on the gross rental, £4,700 a year. If you deduct that from the rental of £9,000 you will get £4,300. Then you will have that to be capitalised, and if you capitalise £4,300——

25817. At 3½ per cent.?—At 3½ per cent. it won't amount to the sum that £9,000 will capitalise at, the estate of the unencumbered landlord.

25818. Chairman.—You mean that it will not be necessary to give so many years' purchase. You mean to say that the tenant's years' purchase would be less in the case of the one with mortgages than it would be in the other case of no mortgages?—Certainly.

25819. Sir John Colomb.—You make out that the landlord should have £4,300 a year?—Yes

25820. Chairman.—You see, Mr. Fitzgibbon, that the whole point of difference between you and Mr. Boyd is that Mr. Boyd would join issue with you on the deduction of these yearly charges. Mr. Boyd told us that in his view of the matter you must not arrive at the net income of the landlord in that way at all?—Sure I know that; but it was on the basis of a settlement. So that you would give the landlord his net income it did not matter if there were 75 per cent. of a deduction from the estate. The arrangement was such that the man would receive his net income.

25821. Of course the way you propose is not the way that it is done now, is it?—Oh, no.

25822. Capitalisation takes place now upon the gross amount, not upon the amount after deduction?—But in fact any cases of encumbered estates are not inquired into. They are not inquired into. But if you have a compulsory scheme in contemplation it is a matter that has to be inquired into.

25823. Do you think—I put it as a general question—that one system should be applied to voluntary sales, and that you should have another system based on quite a different principle applied to compulsory sales?—No, I think.

25824. Both systems surely ought to be alike or there would be some very great injustice, would not there?—Decidedly.

25825. Sir John Colomb.—I ask you, Mr. Fitzgibbon, do you make out from your proposal that a landlord under the circumstances you illustrate would receive cash which at 3½ per cent. would represent £4,300 a year?—That is what he should expect.

25826. Is it your position that your illustration dealing with that property in the country would leave the landlord a capital sum which at 3½ per cent. would give him his £4,300 a year?—Yes. That is what the landlord should expect.

25827. My point is not that. I quite follow what the landlords expect, from what Mr. Boyd says, but my definite question to you is, working out your figures in the illustration, taking the facts as you give them, does your calculation work out, that the landlord, carrying out your system, would have at the end of the time when the transaction was complete, a capital sum that, invested at 3½ per cent., would yield him his £4,300 a year?—I think so, but I would ask you to give me time, because that is a point that I did not refer to.

25828. Sir Francis Mowatt.—To be quite sure of what you mean, that I may understand it: if this estate of £10,000 a year, which under Mr. Boyd's proposal would be estimated as £9,000 a year, were an encumbered estate, that would be purchased at a price that if capitalised at 3½ per cent., would give the landlord £9,000 a year?—Yes.

25829. You propose that it should still be purchased at that price?—I do not propose that at all. I only instance it.

25830. But you propose that the purchase money should be £9,000, capitalised at 3½ per cent., and that the difference between that and 5 per cent. at £4,700 should go to make what you call a supplementary fund?—Yes. I say any profit Yes, I understand what you mean. I am only speaking of the general principle

25831. Mr. Bryce.—And the general principle is this, that in calculating the landlord's net income the sums he has paid in mortgages ought to be first deducted?—Yes

Sir John Colomb.—So that the landlord at the end of the transaction is in receipt of cash which if invested at 3½ per cent. would leave him exactly the same income that he had before, when all charges on mortgages had been deducted.

25832. Mr. Bryce.—That is Mr. Fitzgibbon's point?—Yes; I think so.

25833. Sir John Colomb.—And I understand that the great fact issuing from the illustration which you have given as illustrating your general principle is this, that the tenant would pay exactly the same?—Exactly.

25834. And that if there be a profit it should not go to reducing the tenant's annuity, but should go to the purpose of a public fund absolutely, for the purpose of dealing with congestion?—Yes. That is my view. I will leave that to better men to work the figures out.

25835. Mr. Bryce.—Mr. Fitzgibbon, on this point do you not think that the effect of your principle of having estates carved up in the method you describe would be to produce a dead level of monotony in the size of the holdings?—Oh, no.

25836. I mean if you take away part of the demesnes and take away every bit of residential property over £25 valuation?—Non-residential. I have had in my mind that a farmer having 500 acres in mixed farming tills 100 acres or so, and in that way these farmers are large producers of earning, at least they would afford great facilities to labourers, and produce for the country an amount of wealth that farms left what I call derelict would not.

25837. Well, you would not propose if there were a farm of 500 acres, of which 100 acres were in tillage—you would not propose to expropriate that?—That class of farmer is very rare in Ireland, and wherever he is to be found I would certainly leave him as the very last man to approach

25838. Sir John Colomb.—With reference to what Mr. Bryce has said, you make a distinction between a grass farm and a farm worked partly in tillage—you said yesterday, I think, about a fourth?—Yes.

25839. Is it your proposition that you would not disturb the tillage farmer?—Certainly.

25840. And then is it your proposition that in every case where 20 per cent. of the total area was worked as tillage, that that should be excluded from the operation of compulsory purchase?—Yes.

25841. Mr. Kavanagh.—Would you extend it to tenant purchasers, Mr. Fitzgibbon, who had actually recently purchased under the 1903 Act?—Oh, yes.

25842. You would extend compulsion to them?—Oh, decidedly. No. 2 paragraph that I am going to deal with in my evidence exactly applies to that class.

25843. But would not that raise an enormous amount of opposition?—But I will show you how these people got their lands. I am now dealing with non-residential lands.

25844 Chairman.—Mr. Fitzgibbon, what paragraph of your evidence are you on now?—The second. I am now going to direct the attention of the Commissioners to that. Now, as to the question of grazing lands when the Act of 1881 was passed it was never intended by the framers of the measure that fair rents should be fixed on grazing land occupied by men that had spent nothing on it, that did nothing in the way of improvement, and were merely in occupation from year to year and paid nothing for enjoying the tenancy Many of those men signed agreements out of Court (it will be found that they are easily found) in order thereby to qualify themselves later on for purchase under the Ashbourne Act. Now, of course when an agreement is signed out of Court and a rent agreed to between landlord and tenant, the Commissioners do not inquire into whether that is a fair rent or not. They simply accept the agreement and register it as a fair rent. Then when your purchase comes on, under that agreement, I take now the Ashbourne Act. Under the Ashbourne Act a tenant farmer often purchased hundreds of acres. I can show you the farms when you go through Roscommon—men that purchase those farms unquestionably under false pretences, and the Act, I am certain, was never intended to multiply that class of owner or give facilities for the purchase of such farms

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I have many men in my mind at the present moment. I know one man in the County Galway and that man got something nearly 500 acres and the Congested Districts Board is at present trying to negotiate with him, and they now have to deal with this man who purchased under the Ashbourne Act, and of course it is very much more difficult to deal with these men than if those lands had been in the original owner's hands.

25845. Sir John Colomb.—Can you tell me why it would be more difficult?—Because there are practically two interests. You have to buy the interest of the man who got the farm without paying a farthing for it, and you have to pay off then the sum that it was sold at. That is a great difficulty, and those are the class of cases where you would need compulsion. There will be very little compulsion necessary in the case of landlords who have the farms in their own hands. It is where what I call the double interest has to be dealt with, that the difficulty will come in.

25846. Mr Kavanagh.—That is tenanted land?—Tenanted land.

25847. But the question I was asking you was about a tenant who had just purchased under the 1903 Act. Would you extend compulsory purchase to him?—Oh, decidedly, because in many instances the same thing applies. He got a fair rent fixed and bought under the Act. He had a fair rent fixed for a few years perhaps, with the connivance of the owner of the estate, considering that such an Act was in contemplation and that the estate would be one day sold. These ranches are in the hands of men of that class.

25848. But if the present man farms it himself, does not hold it on the 11 months' system, but actually uses it as his own home farm, would you desire to expropriate him?—Decidedly.

25849. You see no difference?—Oh, no difference whatever.

25850. Sir John Colomb.—But would it not be a distinct breach of Parliamentary faith to break a covenant entered into by the State with a man that on paying a certain annuity over a certain period of years he would, at the end of that period of years be the owner. Would it not be a distinct breach of Parliamentary honour?—I think not. In the first place, I do not propose that this man's interest should be taken over for nothing.

25851. Of course I understand that?—The acquiring of these lands is absolutely necessary in the interests of the country, and where it will be found that the man paid for the interest in the farm of course that would have to be taken into consideration. But even taking that class of man in the interest of settling the country and well knowing as I do that the system of farming that he is pursuing at present is most unprofitable, I consider that it would be very slight injustice to that man.

25852. But that man having under the guarantee of Parliament entered into a compact with the State to become the occupier at an annuity for 68½ years, or whatever the time may be, and to becoming owner at the expiration of the time that his annuity runs for, am I distinctly to understand from you that you consider it no breach of Parliamentary faith and honour for the State to break with that man and destroy his position and prospects?—I consider that a wrong done by law ought to be undone by law. I think that it was wrong in the first instance to place him in possession of hundreds of acres.

25853. My point is this, taking your own account, is it the man that should suffer?—I do not propose that he should suffer. On the contrary, he will be a gainer by the entire transaction.

25854. Then you propose to make it good, not to confine yourself to the mere fact of expropriation, but fully to compensate him for all he has suffered and lost by the breach of contract?—Quite so.

25855. But the State as the contracting party that broke the contract is not the party to decide what the amount of compensation should be?—Well, taking all the circumstances into consideration, that man can be dealt with according to the circumstances and needs of his case.

25856. My point is this, to put it shortly, is the State that breaks the contract to settle the amount of compensation?—It can.

25857. But is it proper in your opinion?—Well, some authority must settle it. It is to be presumed that it will be an authority appointed by the State.

25858. Mr. Kavanagh.—When you say that the man is to be a gainer by the transaction, you mean that he is to get more than he has already got by purchase from the State?—I mean that he is going to receive what he never had.

25859. But he had, having just purchased it?—But who advanced him the money?

25860. The State. But you say he is to be a gainer, and I am asking you is he to receive more therefrom than what he gave for his land?—I do not propose to send him out for nothing.

25861. You do not think it right that any man should lose when he is compelled to sell property?—Certainly not, certainly not; in very many cases I have seen them at present getting half-a-crown for two shillings.

25862. You stated that he would be a gainer on the transaction, and I asked you whether he would be getting more than he had just previously given?—Oh, certainly; of course the sum advanced by the State would have to be discharged, and you simply purchase his interest, whatever that might be assessed at, the difference between his interest and the amount that he borrowed.

25863. The State then would be a loser by buying at a higher price than had already been paid?—Oh, certainly.

25864. Mr. Bryce.—I understand Mr. Fitzgibbon's point to be this, that by this transaction a tenant-right has been created which did not previously exist, and that something should be given for that tenant-right to the man who paid no money for the thing at all. This man who has purchased has paid no money. The State paid the money but he paid no money. He pays an annuity, but Mr. Fitzgibbon proposes to give him something for the tenant-right which has been created?—Quite so.

25865. And he says therefore that as the man is going to get something which did not previously exist he is a gainer?—Yes. Rents agreed to out of court are registered as fair rents by the Land Commission without inquiring into the legal aspect, thus creating difficulties in acquiring those lands for the relief of congestion. Now what my point is is this: If those farms were taken into court to have a fair rent fixed, and the landlord objected, there would be no rent fixed on them. Those agreements are questionable. Even if the landlord was agreeable it is very questionable—I am not quite clear on the point, but it is very questionable whether the Land Commission should entertain fair rents of that class at all as ones that came within the provisions of the Act as to the fixing of fair rents. In these cases as will be found when you come to compulsion, a number of the men that have purchased recently got agreements signed out of court, and thereby were able to have money advanced to them under the Ashbourne Act. And on that point allow me to say that under the Ashbourne Act, as far as my knowledge went, very much more of that class of land was sold than of the poorer land—and I will tell you why. Those lands fetched for the landlord a much higher figure. They suited his purpose admirably to keep up the prices, and the tenants who would not give more than fourteen or fifteen years' purchase for their holdings, that class of tenant was avoided as much as possible, because the landlords of the district did not want to hear of those low figures—(or the landlords in general either; of course they have their body)—but wherever they could get twenty years' purchase they accepted it.

25866. Mr Bryce.—You mean they created a tenancy which did not exist in order to get twenty years' purchase?—Exactly.

25867. Mr. Fitzgibbon's point, as I understand, is this: The provision of the Act of 1881 and the Ashbourne Act, all the Purchase Acts in fact, were meant to solve the difficulty of real tenants possessing tenant-right, but these people created these tenancies, and they established a tenant-right by a method which neither the Fair Rent Act of 1881 nor the Purchase Act contemplated. That is what I understand?—That is it exactly.

25868. Mr. Kavanagh.—That was an advantage to the tenant at the same time, otherwise he would not have taken it?—Oh, certainly.

25869. The advantage was not all on the part of the landlord?—They divided the spoils between them. Those were very plenty. Now, the O'Conor Don is going to give evidence here. Well you can ask the O'Conor Don himself if he bought under the Ashbourne Act. His father did. I do not think the Act was ever intended to advance money to men like the O'Conor Don.

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25870. Sir Francis Mowatt.—But you do not object to any man taking advantage of whatever profit the terms of an Act enable him to get?—Yes; but the rent agreement was signed out of court.

25871. But I am asking about the Act of Parliament. Whatever may be in the contemplation of the framers of it, if the Act gives a man a right to do something for his own advantage, you do not complain of his doing that, do you?—No; I maintain that the Act was never intended to operate in the way I have mentioned.

25872. I am not asking about what the intention of the Act was, but about the effect of the Act?—Because, unquestionably, Mr. Parnell and those who led Ireland in the passage of the Act of 1881 would never have agreed to give that class of tenant in Ireland a lease in perpetuity of such a class of land. It was the hope of Ireland to one day see that class of estate coming back to the hands of the people.

25873. But what I am saying is that the effect of the Act, whatever the intention was, was to enable this to be done, to which you are now taking objection?—Yes; it was simply a loop-hole in the Act, and they availed themselves of it. And it is very different to compel a man to leave his home after putting up the buildings on his cultivated and reclaimed farm, and that lives there—that is very different from the case of a man who has purchased lands, and those lands deteriorating from year to year, and not producing the food-crops for the country that they would if worked in the manner that I have described.

25874. Sir John Colomb.—I understood you to say, to illustrate your point, that twenty years' purchase given for this class of land under the Ashbourne Act was a fictitious price—that it was too high?—No. I think it was cheaper far than the class of land the tenants are willing to pay eighteen years' purchase for. But it was just the same tactics that were adopted by the landlords in keeping those estates to the front, as was the practice of the Duke of Leinster, that led off with a very high price. Hearing Kildare was giving twenty-five to twenty-seven years' purchase, the tenants in the West were very glad to give twenty years' purchase.

25875. I misunderstood you. I thought you said that for those lands under the Ashbourne Act suitable for migration 20 years' purchase would be too high?—No; I consider it was better value at the price it was purchased at than the poorer lands at fifteen years' purchase.

25876. Now, taking the Ashbourne Act that you have referred to, which was the only purchase Act in operation in 1889 and 1890, I should like to ask you if you agree with the answers given by Mr. Parnell to questions put to him, which I will read to you. Speaking of migration and the sort of land requisite to carry out a migration scheme (at that time the Ashbourne Act was in force) Mr. Parnell was asked this: "You contemplate I understand, the creating of holdings of something like 20 acres?". Mr. Parnell's answer reads: "20 acres of a certain class of land; land I have in my mind just at present as being most adapted for this purpose; land that would be worth £1 an acre as rent." Then he was asked this: "As little as that?" Mr. Parnell says, "Yes, that is a good rent now-a-days." He then was asked this: "That would be at 17 years' purchase £17 an acre?" and the answer was this: "Yes. I suppose we should have to give 20 years' purchase for this kind of land under the compulsory expropriation." You agree with those answers?—Oh, I agree. I thought so at that time, but we are 30 years or 25 years older now.

25877. No, only seventeen years. That was in 1890?—Seventeen years. Very well.

25877A. Mr. Kavanagh.—Would you apply compulsory purchase to the fattening lands in other counties?—Of course, Mr. Kavanagh, I think Carlow County is a very different one.

25878. But I know more counties than Carlow?—But, of course, Carlow and Roscommon are very different. You have a great number of agriculturists in Carlow.

25879. Yes?—But that is not the class of tenant that I am referring to.

25880. I just want to ask you this question. You are in favour of compulsory purchase of grass land that is untenanted?—Where negotiations cannot be otherwise carried out.

25881. Would you apply it to all classes of grass land, to fattening land, as well as to store cattle land?—Well, there is a difference of opinion. Of course I do not assume to be an expert on that, but I consulted Professor Campbell. He did not put any restriction on me as to giving him as authority, that no class of land was too good for tillage, and there is an old proverb in Scotland which he mentioned: "That to make a pasture often breaks a man, but to break a pasture oftener makes a man."

25882. But supposing you broke up the grazing farms of Meath, Tipperary and Limerick, what effect would that have on the cattle trade of Ireland?—Perhaps I had better tell you a conversation I had with a Meath grazier, and I will just give it exactly as it occurred. It was about two years ago, last November two years. He got in at Roscommon station on his way home to Mullingar. I happened to be in the carriage and I inquired from him about the fair and he said, "The people that sold us cattle to-day think they have bestowed them on us, they were sold at such low prices. I don't see how we can make more than two or three pounds per head." And I fell into conversation with him and I gave him Professor Campbell's views on Connaught, that it ought to be a cattle-breeding and crop-producing province, and that we should rear stores for Meath and other places. "Well," he said, "I don't agree. I think you are well able to finish yourselves. Now my idea is that the days of the cattle ranches are over. I farm six or seven hundred acres and if my two sons were just to do as I did when I was a boy, take off their coats and work the whole farm, tilling and feeding and fattening, and keeping men engaged at stall-feeding, I have no doubt, working in such a fashion that I would make as much on the 100 acres at home as we are now making on the six or seven hundred acres under the present system. My two sons just do nothing. They take their sticks in their hands and go round and see the herd. That is all they do. Of course they would require to take off their coats as I did when I was a boy. There is nothing to prevent your people breeding and finishing up on a system of mixed farming and consuming on the farm what it produces. In that way you make the land fertile, and it is now admitted that that is the class of farmer that is going to live prosperously in Ireland."

25883. Mr. Kavanagh.—Where would this market be?—At home. You will find on nine or ten-acre holdings in the vicinity of my town as fine cattle as you will find on any holding of 100 acres. Where the land is good you will find the cattle equally so. On poor land, of course, you will find poor cattle, but in Connaught we have plenty of poor land.

25884. Yes, but you would not say that they can keep cattle and finish them off for sale to the butcher?—Oh, no.

25885. They go to Meath?—In a great many cases.

25886. My point is that if you take away Meath, Tipperary, Limerick, and all the fattening lands what are you going to do?—Fatten at home.

25886A. But you have said the small farmer cannot fatten?—I say they are not able to do so at present, but there is no reason why they should not do so. In the scheme which Mr. Doran has outlined and which is going to be submitted to our Council, it is proposed that farm stations for the purpose of demonstrating how cattle can be stall-fed in winter, should be placed in centres among 400 or 500 farms of 25, 30, and 50 acre class.

25887. I quite agree that it is the farming of the future if it can be done, but I doubt if it is possible on small holdings of ten or twelve acres of poor land?—Well, it is extraordinary. But what we say is that the people ought to be on the good land. Throughout the history of the country you will find the people on the bad land and the cattle on the plains. That is the way in my part of the country. But place the people on the good land and you will see. I can give the Commission another illustration and I hope to have the opportunity of showing it to them. Near Castlerea there is a village, or rather half a dozen villages, where at the time of the clearances it happened that the people were left on a skirt of good land. These people's holding vary from nine to twenty acres, very few of them are more than twelve. These people have always been there. None of the families emigrated. They were able to put them into business and to start them without sending them abroad. They have good cattle, good cows, and are comfortable all round, although prior to the Act of 1881 they had to pay very stiff rents. But the land was good. They

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were industrious, no doubt, but they had the reward of their industry.

25888. I hope you will show us that?—With pleasure.

25889. Sir JOHN COLOMB.—You hold the opinion, verified, I understand, by Professor Campbell, that good land could be profitably broken up?—Decidedly, but of course you must not take me as an authority.

25890. Let me go to the other extreme. We have had considerable evidence that there is untenanted land which is too poor to be broken up. Are there any sheep runs in Roscommon?—It is all a sheep walk, but most of the land is suitable for cattle and sheep.

25891. Is there land in Roscommon only suitable for sheep?—Not to my knowledge. But there is another class of land in Roscommon where there is very little soil, with a stiff clay at the bottom.

25892. Do you, or do you not, think there is a good deal of land which might be used for cattle and sheep which would hardly pay to break up?—I do not think there is in Roscommon. There are, perhaps, isolated spots, but it is the exception and not the general rule. But I go further. There is any amount of land in Roscommon that up to the present has been flooded, but which, through the operations of the Congested Districts Board and its extensive system of drainage, will be very soon admittedly very productive land When the Scottish Commissioners were over—a number of gentlemen who were touring through the country—I took them to see this very district, and many of them said they wished they had that class of land at home.

25893. CHAIRMAN.—Is there much land of this nature in Roscommon held under grass?—A good deal has been. I want to mention that there is a quantity of grass land coming into the market of the character I spoke of, that is, men selling the interest, and they bought under the Act of 1903 Next Saturday week in my own town a farm of something like 250 acres of grass will be offered for sale by auction. Now I wish to have it recorded in my evidence that I think no opportunity should be lost by the State of securing land when brought into the market.

25894. Tell me exactly how it has come into the market?—The owner died.

25895. Had the owner bought under the Act of 1903?—Yes.

25896. And does the Act of 1903 permit a man who has become an annuity payer to sell his farm by auction whenever he chooses?—Certainly.

25897. There is perfect freedom in that way?—Certainly.

Sir FRANCIS MOWATT.—How large is the holding?—250 acres.

25898 CHAIRMAN.—It is sold subject to the annuity?—Yes, and of course the interest is, perhaps, very considerable. But it will show you the trouble and the evil of not making provision for the purchase of this class of estates. About six months ago, or perhaps more, a farm was offered for sale in the county of Roscommon. It was purchased under the Ashbourne Act. It contained about 150 statute acres.

25899. Sir FRANCIS MOWATT.—Six months ago?—Yes, or perhaps nine.

25900. Sir JOHN COLOMB.—It was purchased under the Ashbourne Act?—Yes. The interest of the man who purchased it was offered for sale. It was a case exactly like the one that is coming off in a few days. Around this farm are eight or ten small tenants whose holdings do not average more than five or six acres, some of them three, some seven or eight. These people naturally looked to this farm as one that should be secured, whenever it became available, for their purposes They had it as an accommodation farm, and where they were not able to feed a cow on their own land, they got the grass on this.

25901. Sir JOHN COLOMB.—They hired the grass from the then tenant, I suppose?—Yes. When the owner died and the farm was brought up for sale, the people appealed to me to do something for them. I had to leave home, but I sent a man to the auction with a blank cheque signed by me to be filled in with the amount that would be required as the instalment. At the auction a brother of the widow bid for the farm. My man bid up to £1,150, and seeing that the widow's brother was bidding he came to the conclusion that it was going back to the family. At any rate he had reached the price that he was authorised by me to give, unless a representative of the Board happened to be there. I had written to the Board appealing to them to send a representative to the auction. The brother was allowed to purchase the farm, but it was not for his own use or for the use of the family, but simply for a butcher who lived at Ballinasloe. The result was that as soon as the people found out how they had been deceived they naturally became very indignant, and when this man's cattle came on to the farm they met them; prosecutions followed; large numbers of police had to be brought on the farm; and questions were put day after day in the House of Commons over these transactions. The men were indicted and brought to Sligo, and a Sligo jury—which is considered a very safe jury for the Crown—refused to convict them. Then they were taken back to their native county, and looked upon as heroes there, and acquitted. Now I maintain that it is creating trouble to allow such transactions to go by unnoticed by those supposed to be interested in placing the people on the land and relieving them.

25902. Sir FRANCIS MOWATT.—All this apparently depended upon the people having been deceived. I don't think you told us who deceived them?—The deceit lay in the purchase of the farm by the brother of the widow. The people, of course, thought the farm was going back to the widow. It was an executors' sale—the man had been married three times, and the price of the farm had to be realised in order to make a distribution amongst the children. Seeing that the brother of the widow was made use of, my man was under the impression that he was acting for his sister. The brother bought the farm, but not for himself, but for a butcher living at Ballinasloe, twenty-five miles away.

25903. But neither your man nor any of these tenants thought of asking whether the farm was for the butcher or for the family?—Oh, no; they never thought of that. It was only some days afterwards that they found out. Then they came to me, and a correspondence resulted. I was willing to pay the man exactly what he paid for the estate.

25904. Sir JOHN COLOMB.—I understood you to say that your representative bid up to £1,150?—Yes.

25905. What did the farm actually go for?—For £1,200.

25906. What was the purchase price which the tenant paid for the interest in the farm?—Oh, he paid nothing.

25907. He paid nothing, but the Government advanced the purchase money?—Yes, there was an advance

25908. You said that this farm was held under an annuity tenure created by the Ashbourne Act?—Yes.

25909. What was the price?—About £1,250 or thereabouts—between £1,200 and £1,300.

25910 Mr. BRYCE.—Did the State advance £1,200?—I cannot tell you what the State advanced. I think the annuity was about £60, but a considerable amount of the annuity had been paid off, as it was purchased some ten years ago. Taking it about £60 for forty-nine years, I daresay the advance would be something like £1,100 or £1,200, or perhaps even £1,500.

25911. Sir JOHN COLOMB.—But the actual transaction was the transfer from one person to another of the landlord's interest in the farm?—Yes.

25912. That is the landlord's interest in the farm, subject to the annuity?—Certainly

25913. Therefore the farm was bought at £1,500 subject to an annuity of £60?—Subject to the annuity.

25914 And it was sold some years afterwards at £1,250?—Yes. Of course a considerable portion of the £1,500 must have been paid off.

25915. The farm had actually appreciated in value during the interval of time?—Yes.

25916. Can you give us about the date when it was purchased under the Ashbourne Act?—It must be over ten years ago, because a reduction is expected in a year or so.

25917. The farm was of much greater value at the time of the sale than it was when it was bought?—Certainly.

25918. Does not that go to show that the value of untenanted land is increasing?—Oh, no. In what way? How do you make that out.

25919. I am not making it out. I am asking for information?—It is the other way.

25920. This farm consists of grazing land?—Yes.

25921. It is bought under the operation of the Ashbourne Act for £1,500, subject to an annuity of £60 a year for 49 years?—Yes.

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25922. It is sold at some period afterwards when much of the annuity has run out, for about £1,200?—Yes.

25923. Does not that show that the value of untenanted land has increased?—No. You must bear in mind that it is not the same class of untenanted land that is now offering, because in the first place the man who purchased the land had an interest in it previously, and he bought it ten years ago. In addition to that, this is the best farm in the County of Roscommon without any exception—or at least one of the best.

25924. Perhaps I misunderstood you, but I really did understand you to say that the land from the time of the purchase under the Ashbourne Act to the time of the sale had increased in value?—Oh, yes.

25925. But your objection is that you cannot take that as an illustration because of the fact that it is peculiarly good land?—Yes, it is the best in Roscommon. I should like the Commission to see it. It is now looked upon as a historic spot

25926. We may take it that certain good land in Roscommon has within ten years increased in value?—Oh, no; not in value.

25926A. I thought you said so?—No, not increased in value. I was going to give you another instance where land is being sold by auction. Eight or nine months ago a grass estate was offered for sale. It contained nearly 300 acres, and the neighbouring tenants in the same way appealed to me. I approached the Estates Commissioners and the landlord They had some negotiations, but through some hitch or other, it was not a true title. There was some unaccountable difference and the negotiations were broken off. Lord Trimbleton then put this grass farm up for sale, and neither the Estates Commissioners nor the Congested Districts Board appeared at the auction.

25927. Chairman.—May I remind you that the Congested Districts Board would have had to buy the land by auction out of their income, and that the Estates Commissioners had no funds at all?—Yes, I understand. That is exactly what they both told me. But in my opinion they ought to be provided with funds.

25928. But you must not blame them if they do not do it now, because they are not in a position to do it?—Quite so I am only introducing it for the purpose of showing exactly how the matter stands. The young men in the neighbourhood, people living on one-acre, two-acre, and three-acre holdings, knowing the this farm was on the market, appealed to me. I employed a solicitor and purchased the farm for £3,700. I had to finance it; I had to provide the money. The new tenants are in occupation, and I hope to have the pleasure of introducing the Commission to them They are just a specimen of the young men I wish to see on the land But my point is this, that it is really hard lines that a struggling trader should have to do exactly what the State ought to do, and should have to provide funds in order to settle nine families on the farm.

25929. Mr. Bryce.—You bought it and distributed it up?—Yes.

25930. How did you recompense yourself. Did you charge an annuity, or how did you get back your money?—I, of course, sold the farm to the Estates Commissioners

25931. Sir Francis Mowatt.—You sold it to the Estates Commissioners?—Oh, decidedly. But I won't receive the money for some time. I merely get on the money advanced 3½ per cent.

25932. Chairman.—I understand that what happened was this. In order to prevent the lands passing into unfriendly hands you purchased this grass farm?—Yes.

25933. You then enlarged the holdings or broke the land up into new tenancies, and then as you did not wish permanently to remain the landlord you sold it with these new tenancies to the Estates Commissioners?—Quite so. That was the object I had in view.

25934 Sir Francis Mowatt.—What addition to the holdings of these nine families resulted from the sale? You say that nine families were settled on an estate of 300 acres?—Nearly 300 acres They have got about twenty Irish acres each

25935. Chairman.—Did you lose by it?—Oh, no. But I am not going to make anything on it.

25936. Mr. Bryce.—You could have done better with the money if you had put it into your business?—It was a great inconvenience to me to get that money. It was on my word rather than on my security that I obtained it.

25937. Of course if you had employed that money in your business you would have made more than 3½ per cent.?—Oh, decidedly. I have had to pay 5 per cent. for the money.

25938. So that you are losing the difference because you are only getting 3½ per cent.?—In justice to the Estates Commissioners I do not think I shall remain long out of it. I was asked about the class of tenant. These nine young men are the sons of tenant farmers, whose holdings do not exceed five pounds valuation, and they are exactly the class of men that I would like to see planted where new men have to be planted. I have in my mind places exactly similar to that where I have planted these young men.

25939. Is there any reason why a migrant who comes from some distance to better land should be more inconvenienced by the absence of turbary than the son of the neighbouring tenant?—Oh, well, it is extraordinary, the attachment of the people to their own homes, and how reluctant they are to leave. At all events I experimented, as I mentioned yesterday, and, as I also stated, I am particularly anxious to plant the young seed in the soil.

25940. Sir Francis Mowatt.—Might I ask you a question to complete the illustration you have given us. These very small holders have now got their holdings. What have they done, or do you know what they can do in the way of capital?—Oh, yes.

25941. Complete the illustration?—One of the men occupied a holding of about thirty or forty perches, and he migrated, but he had not to go far. There is no man in it had less than £50 of his own saved. One man had something between £200 and £300. He was after returning from America, and he was the son of a small farmer adjoining. Others of them had £150 and £100, and not one of them, as I say, had under £50. They were all of excellent character, most industrious, and good agriculturists.

25942 But let me take the extreme case for my purpose, because I want to understand it. You say that one or two of these men were actually living on an acre holding?—One man had lived on less than an acre.

25943. And yet he had in some way or other accumulated £50?—At least, and this man was married.

25944. He did not make much money out of that?—I think the wife helped him. I think it is largely due to her good management that they have that money.

25945. Mr. Kavanagh.—Did he go to England to labour?—No, he laboured at home, and his wife is very good at keeping fowl. They also kept a couple of cows, and grazed them on the grazing land adjoining his own.

25946. Then he had more than an acre?—No, he simply sent his cattle to the grazier, the grass jobber, who had large tracts adjoining.

25947. He had the use of more than an acre?—Yes, but it was not his own.

Mr. Bryce.—I have seen myself cases of labourers with very small places making money.

25948. Chairman.—In making these new holdings do you make them all the same size, or different sizes?—Different sizes, according to the quality of the land. Of course the scheme was carried out by the Estates Commissioners.

25949 They did the actual division of the holdings?—Oh, yes; they took over the estate on the 1st February last Of course I selected the tenants I was responsible for selecting the tenants, and that being so, I wanted to give an example of how such a scheme could be carried out

25950. And how about the houses?—The price, I may mention, that I bought the farm at was considerably less than what the Estates Commissioners were prepared to give, and the Estates Commissioners did not exactly carry out my view, because I was anxious that the estate would be sold at exactly what the Estates Commissioners were prepared to give previously. But this case you had before you yesterday of Mr Crosbie's made them rather nervous on the transaction, and they simply took over the estate at such an amount as enabled them—of course the price was plus the bonus—to lay out about £200 for the making of a new road, and

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to give £30 each to the tenants to assist them to build their houses, to erect all their fences which are now up and quicks sown in them, and make these fences free of charge. I was anxious that they would give a larger sum as a help to them building their houses, but of course they have got an equivalent to that, because unquestionably they have got the best value in Roscommon, that is, of any new estate.

25951. How long ago was this done?—Last February.

25952. Mr. Bryce.—Last month?—Yes, the first of February it started. On the first of February the estate was taken over from me.

25953. In 1906?—No, 1907.

25954. Then this settlement is not completed?—Well, the tenants are in occupation.

25954A. When was the place bought?—Last July or August.

25955. July, 1906?—Yes.

25956. And the tenants got in on the 1st of February, 1907?—Yes. Of course the grazier in occupation was there until the 1st November.

25957. Then the houses have been put up since that?—No, the houses are not put up yet. The tenants are engaged in making the fences.

25958. Chairman.—Where are they living, these tenants?—Two or three miles away in a congested village near Donamon.

25959. Sir Francis Mowatt.—You say they are very young men. That means, I suppose, that they are not to be regarded as having strong families. Are they old enough to have working children?—No, but they have brothers able to help them.

25960. Mr. Bryce.—Are they all married men?—Except one, they are all unmarried. I hope they will soon be all married.

25961. They buy the material for the houses and pay for such carpenter's work as they cannot do themselves?—They will be able to build up good houses, because I expect they will get wives with fortunes of £150 or £200 each.

25962. The £30 will represent a house worth about £120 or something like that?—No, £100. The Estates Commissioners are satisfied if they erect good thatched houses.

25963. But not exceeding about £100 each?—Yes.

25964. Mr. Kavanagh.—It is a good place to go to get a wife?—When you come down I would be glad to get you one.

25965. Sir Francis Mowatt.—I must point out to you that you are describing the wealthiest peasantry in Europe. Our peasants do not marry ladies worth £150?—These are returned Americans who generally bring back that amount of money as savings. It is quite common for them to have that amount—£100 to £200.

25966. Chairman.—Would you desire to stop a system by which these ladies come back with £200 ready to marry young Irishmen who wish to start holdings?—I would like to bring them back again.

25967. You say that most of them are returned Americans?—Yes, and the daughters of very poor people.

25968. They are girls who have gone out to America and saved money and come back?—Yes.

25969. I ask you do you wish to stop that system?—Well, I would much rather——. If you would not mind I would just give you a little anecdote.

25970. Before giving us your anecdote may I ask you a question?—Excuse me for a moment.

25971. Let us have one thing at a time. I shall be delighted to have your anecdote, but do you wish to stop the system by which girls go to America, are able to save £200, and are able to come back and marry young Irishmen?—Yes, I want to stop that. I want to prevent those dreadful scenes at the railway stations. I have given evidence previously to Mr. Kavanagh and to Mr. Bryce of a class of holding that was occupied near Castlerea where the people had not to migrate, and where the daughters were provided with fortunes from £100 to £200 without going abroad. I think you were out at the time. I hope to show Mr. Kavanagh when he comes into our neighbourhood some townlands with the tenants on them. They have good land, and their holdings are not more than nine to fifteen or twenty acres at most, or the average perhaps would be twelve acres. The children of these people rarely emigrate. Their people are able to provide for them at home. Some of them become business men. They get their daughters married, well portioned—and their daughters, I may tell you, are in demand, because they are considered to be good industrious girls, and they get well settled in almost every case. That is the result of the land being good and the people industrious.

25972. Then I understand your point is this. You think if the land is good land and is redistributed amongst the people, and that they get a good chance of working that land on what you think is the best system—that by a method of that kind they will be able to provide £200 for their girls to marry without going to America?—I do not say £200, but I say a considerable and respectable sum. I can bring you into contact with a man—I myself introduced a match for his daughter—and he has not more than twenty acres of land. He is prepared to give her £200, and I think she is about the seventh daughter he has married.

25973. Mr. Bryce.—Seven daughters! He has married seven daughters and given them £200 apiece off the land?—Yes. Now, Lord Dudley, if you would not mind I will just mention the little anecdote, because it bears on your question. There was a widower looking out for a wife during the marrying season, and he just dropped into my place.

25974. What is the marrying season?—From the first of January until Lent approaches.

25975. Sir Francis Mowatt.—I suppose the rest of the year would be what we call the dead season?—Oh, there are two marrying seasons. This man was on the look out for a wife, and my son asked him, when the day was almost over, whether he saw anything to suit him, and he replied, "Well, there are a lot of 'Yanks' knocking about, but I think a home-made girl would suit me much better."

25976. Sir John Colomb.—To go back a little, do I construe your account of the sale to mean that really it was because the highest bidder, the butcher, was supposed to be bidding on behalf of the family that the sale stopped at £1,200. The people did not like to bid. Let me put it clearly because it is very important. There was a bidder who was a brother of the widow?—Yes.

25977. Therefore, practically the bidding stopped rather than injure the family?—Well, no; it did not. But my man dropped out, and then the brother, or brother-in-law of Phibbs—that is, he was married to a sister of his former wife, and he was uncle-in-law to some of the children concerned—he kept up the running for some time.

25978. But you dropped out, at all events?—Yes, at £1,150. It was, of course, rather a stiff figure, but the article was considered a very fancy one, and a great many people were anxious to get it.

25979. Sir Francis Mowatt.—Would your man go any higher if he thought he had been bidding against an outsider?—I think he would. He had permission to go and to use his own discretion.

25980. Chairman.—Will you proceed with your statement?—Following up my remarks on the savings of the young men and young women of the West, I wish to say that if inquiries were made as to the depositors and deposits in savings banks?—Post Office and banks in general—referred to by Mr. Boyd as evidence of the prosperity of the country, it will be found that those deposits have been largely earned abroad. The money has been sent home to the parents, and in thousands of cases the deposits are waiting to be invested in either improved holdings or new ones. I might now deal with compulsion and give instances of the want of such powers, in order that uniformity of treatment would be systematically carried out and that congestion be relieved. These powers are required often in cases of tenanted land, and are as essential as the purchase of untenanted land. I have now three poor estates in my mind in the Castlerea Union, and if those were not treated simultaneously with others in the same neighbourhood that have been purchased, the consequence, in my opinion, will be, that the system of drainage on the estates purchased as well as the drainage, of course, necessary on the unpurchased estates, will have to be left undone, and the only alternative if you wanted to perfect it on the one already in the hands of the Congested Districts Board would be for them to drain the estate which is not in their hands and has not been sold. These estates should partake of the opportunity afforded to other migrants to move on to better lands. I know many of them very willing to do so and they are an ideal class for that purpose. Those three estates are the Brabazon, Sandford-Wills, and the Worthington.

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25981 They are unpurchased?—Yes, unpurchased and miserably poor estates. There are also two or three other small estates adjoining the larger farms in another direction that are not purchased The three mentioned are in scheduled areas, and I would like to place on record that I think if those landlords were now approached it is quite possible they will realise in their own interest that it is desirable to sell their estates.

25982 That last paragraph anticipates the very question I want to ask you. What makes you think compulsion would be necessary in regard to those estates? I quite see the force of your argument that it is necessary to have the ownership of those three or four estates simultaneously, in order to carry out a large drainage scheme, but what makes you think it is only by compulsion that you could obtain such ownership?—I would not apply compulsion, but compulsion is necessary in order to bring the landlord to reason, because if he declines, for instance, the invitation to sell, compulsion then is in the hands of the Board and the price fixed can be the same as that for the same class of estates sold in the same neighbourhood or elsewhere.

25983. But before you can take up that attitude you surely ought to be able to show that the landlords have refused to sell?—There is no landlord in Ireland, I think, who has absolutely refused to sell, or who would refuse to sell in the strict sense. It is all a question of price.

25984. I modify my remarks to that extent Before you can say that compulsion is absolutely necessary in order to enable you to obtain a group of estates to carry out a large drainage scheme, you surely ought to be able to show that the price asked by the landlord is so prohibitive that it practically amounts to a refusal to sell?—Yes.

25985. Can you say with regard to those cases that the price asked has been prohibitive?—Yes I will take the Sandford-Wills estate. Over two years ago I accompanied the tenants and approached Mr. Sandford-Wills and Mr. Guinness about the sale of the estate.

25986 To the tenants?—Yes, through the Congested Districts Board.

25987. What do you mean by through the Congested Districts Board. Was it contemplated that the estate should be sold first to the Congested Districts Board or direct to the tenants?—To the Congested Districts Board. They would not buy otherwise I strongly advised them not to buy otherwise, because it was exactly a class of estate that ought to be so treated. We were quite prepared at that time to fix a price or to get what his price was.

25988. In order to approach the Congested Districts Board?—Exactly. He said he would consider the matter and this is what followed. He spoke over the telephone from his estate office in College Green to the Secretary of the Congested Districts Board and practically asked him, "Will you buy an estate." It was over the telephone that this communication was made. Later on, however, he laid down his terms and informed the Board that this was his price and that if they accepted the estate on his terms—which he maintained just represented his net income—they might come and inspect the value he was giving them. Of course the Board knew nothing of the estate. He would not allow them on the estate unless they first bought it. If they bought it they could then inspect it, but not before. That is an ideal case bearing out my statement.

25989. You say first of all Mr. Sandford-Wills asked the Congested Districts Board the bald question whether they would buy his estate, and that he did not go into terms?—Yes.

25990. And that later on he did state terms?—Yes. He got a reply from the Congested Districts Board. I forget now the exact nature of it, but he sent it to my son or some of the principal tenants. I have a branch house on his estate.

25991. Mr. O'Kelly.—Ballinlough?—Yes. The matter was sifted out by Mr. Hayden, the member for the district, and it turned out that the transaction was just conducted over the telephone. Evidently the agent wanted just to show the tenants that he had approached the Board and that the Board did not give him a cordial reception, and that therefore direct sale was the thing for them. We had great difficulty in the West of Ireland in getting landlords to approach the Board at all.

25992. Do you say that in this case Mr. Sandford-Wills stated certain terms to the Congested Districts Board?—The telephone message was the first stage. Mr. Sandford was approached again, and it was after the second interval that the terms were laid down—terms which a most experienced agent in the West of Ireland said to myself were ridiculous for that class of estate.

25993. Your story of the transaction is this, that after you had made certain representations on behalf of the tenants, Mr. Sandford-Will's agent telephoned and merely asked the Congested Districts Board whether they would buy the estate. I presume things could not be conducted long on that basis?—No.

25994. Later on he did state certain terms upon which he was prepared to sell the estate to the Board?—Yes.

25995 I also understand from you he made it a condition that those terms would have to be accepted by the Board before any inspection could take place?—That is the exact state of affairs. The whole transaction is on the records of the Congested Districts Board.

25996 Sir John Colomb.—Do I rightly understand you to say that the basis of his expression of his readiness to sell the estate was that he should escape, as it were, with his net income?—Yes

25997. That was all he asked?—That was all.

25998. If he sold his net income was to remain as it was while he held the whole property?—As it was then. You have just brought out a very useful point. Seeing the improbability of a sale, and the mood Mr. Sandford-Wills was in with regard to the disposal of his property, my next advice to the tenants was to go into the Land Courts, because in many cases his rents were non-judicial and first term rents. The tenants went into court, and they got a reduction, I think, equal—those of them who went in—to what under the scheme of land purchase that he proposed to give they would have obtained; so that the net income he wanted to sell his estate on is not the net income now existing.

25999 Mr. Kavanagh.—First term rents?—And some of them non-judicial.

26000 Sir John Colomb.—You being adviser, and no doubt an excellent adviser, to those wishing to purchase, did you ask him for information? Did you ask him to show his books, or to say what his net income was?—No; I was not taken into the question at all. It was the Congested Districts Board.

26001. But you know so much about this that perhaps you can answer my question. The landlord expressed his readiness to sell provided his net income was secured to him?—Yes.

26002. Can you give us any information on that point. The landlord having expressed his willingness to sell on the basis I have mentioned, was any attempt made by the Congested Districts Board or by anyone to ascertain his net income—did anyone say to the landlord, "Will you show us your books"?—I am not so much acquainted with the inner working of the Congested Districts Board as to answer that question.

26003 But you appear to indicate to the Commissioners that his net income was based on rents which, if they came under revision, would produce a reduction of the net income?—Quite so.

26004. I take it you are generally conversant with what took place but that you have not got that extensive information which would enable you to say whether the Congested Districts Board said:—"Show us your estate book and what your income is and then we will deal with you"?—No; I am not a member of the Congested Districts Board.

26005. But you told us of the telephoning and all that business?—It was what was extracted by the member for the division. He stated it at a public meeting at which I was present.

26006. That is where you got your information from You cannot go deeper into the matter?—I saw the communication. I saw the copy of the letter he sent to the Congested Districts Board setting out the terms.

26007. And were the terms simply that if he got his net income secured he would sell?—He gave the price. I think it was 21½ years' purchase on existing rents.

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Mar. 23, 1907.

Mr. John Fitzgibbon.

Of course, this was only the portion of the Sandford-Wills estate which this gentleman has only a life interest in. We were at that time quite willing to carry out a sale and hand it over to the Congested Districts Board to be dealt with on similar terms to the other portion of the estate, the greater part of which was of very much better quality.

26008. Mr. KAVANAGH.—Has not a sale taken place since then?—No.

26009. Mr. O'KELLY.—Sir John Colomb asked you whether the rent books of Mr. Sandford-Wills were asked for. Suppose the Congested Districts Board asked for Mr. Sandford-Wills books have you any idea what the reply of the landlord would be?—If they asked Mr. Guinness for them and he acted in the same manner as he did towards myself when we were negotiating I am agraid he would introduce his shoemaker to them.

26010. When an estate is being negotiated for by the Congested Districts Board is it not the case that only a copy of the rental is supplied to the Board and not the rent office books?—I am not acquainted with the formalities. I have not the slightest idea. I try to bring the two parties, the vendor and purchaser, together, and they settle it between them.

26011. Have you heard of any case in Ireland where the landlord submits his books to the Estates Commissioners or the Congested Districts Board?—I could not say really. I know the negotiations would be in a very advanced state if that were done.

26012. You have heard it said by many landlords in the country, those especially who agree with the Land Conference, that they are willing to accept their net income?—Yes.

26013. Is there any other way you know of by which the net income can be ascertained except by an examination of the estate books?—None whatever.

26014. And you think if landlords are willing to submit their books in connection with negotiations land purchase will be considerably expedited in Ireland?—Yes, undoubtedly.

26015. You think that tenants will be willing to give landlords what they can reasonably demand?—Yes.

26016. You said you thought no landlord in Ireland had absolutely refused to sell his property?—That is my evidence.

26017. With regard to grazing land—the untenanted grazing land—would the same remark apply?—No.

26018. I daresay you are aware that certain landlords who have seats in the House of Lords—I should say one landlord said, during the passing of the Land Bill through that House, that whilst he would be willing to sell occupied portions of his property he would be unwilling to sell grazing land?—Yes.

26019. And where you find a large area of congestion bordering upon these great ranches naturally enough if the landlord is unwilling to sell you cannot deal with those areas of congestion?—No.

26020. You may have noticed that a great deal of disquietude has been occasioned in different parts of the country by attempts made by some landlords to divide their grazing ranches—the untenanted land—first before the Estates Commissioners or the Congested Districts Board are approached. Take a landlord with 1,000 acres of grazing land. On the occupied portion of his estate you have a great deal of congestion. The landlord proceeds to divide these 1,000 acres into ten and fifteen acre holdings, and he auctions these holdings, giving each to the highest bidder. Do you not think that is procedure calculated to extract eight or ten years' purchase, as the case may be, from the prospective occupiers? Do you think bonus should be given in a case of that kind?—I think the practice ought to be discountenanced.

26021. Do you not think in public auctions the best procedure would be to sell the untenanted portion and the occupied portion as one transaction, allowing the Congested Districts Board or the Estates Commissioners to improve the property?—Yes. I have gone a long way to prevent myself any transactions except where the fat was given in with the lean.

26022. Mr. KAVANAGH.—You are aware that the Land Conference defined net income without reference to the estate books?—No.

26023. They did so. Second term rents or an equivalent, less 10 per cent. reduction, that is supposed to be the net income of the landlord without reference to the estates books?—I was not aware of that.

26024. Mr. O'KELLY.—Could you give us any cases in the country where the landlords have given terms to the tenants conforming to the recommendations of the Land Conference?—Do you mean in purchase?

26025. Lord Mayo was one of the signatories to the Land Conference Report. Do you think the terms given by Lord Mayo to his tenants were in accordance with the Land Conference recommendations?—I am not acquainted with Lord Mayo's estate. I can only deal with those I come in contact with. I just want to give at this stage my strong recommendations to the Estates Commissioners and to the Congested Districts Board to secure all the untenanted land offered to them at a reasonable price. Now, I understand, and I have it on the best authority, that within a couple of miles of Castlerea there is a most desirable farm of something like 700 or 800 acres in regard to which negotiations have been stopped pending the report of this Commission, which really from what I have seen of the proceedings myself may be prolonged as long as that law suit described by Dickens.

Sir FRANCIS MOWATT.—As far as this Commission is concerned some of the witnesses before us have been a little diffuse. That protracts the sittings and delays the Commission.

26027. CHAIRMAN.—It is very hard after having given the witnesses full scope that we should be accused of wasting time. We will assume negotiations have been stopped in regard to the farm until the report of the Commission is out?—It simply arises from the fact that the Estates Commissioners and the Congested Districts Board want to see who is going to be uppermost.

26028. Why does that hang up negotiations in regard to the farm?—It should not, I maintain—and I will be quite outspoken—that land ought to be provided. It can easily be fixed up afterwards who is to deal with it. Here is a farm of 700 or 800 acres most suitable for dividing up.

26029. Who is responsible for the rupture of negotiations in regard to this particular farm?—Well, I think the man at the helm.

26030. Who is the man at the helm?—I think Sir Antony. I have no information, but I believe it came up at the last meeting of the Congested Districts Board.

26031. I understand your view is that the Congested Districts Board are responsible for the rupture of negotiations in this case?—Well, Sir Antony is in both.

26032. All I want to get from you is if it is the Government agency that is responsible?—Yes.

26033. Not the tenants?—No, not the tenants. After the passing of the Act of 1903 I happened to travel from Dublin with Mr. Doran, and on that occasion, and also in speaking to Mr. Redmond, Mr. Dillon, Mr. O'Brien, and others, I put before them the necessity of securing all the untenanted land they could. I knew very well that the tenanted land would be there for the tenants, but I was anxious that what I considered the only cure for improving the condition of the people in the Congested Districts ought to be secured. Of course I have seen the operations that have gone on since, and the anxiety of the people to get on the land, and they have strengthened my convictions.

26034. Supposing the plan you would like to see adopted was approved and the Congested Districts Board were empowered to buy large tracts of land for which they had no immediate need?—Yes.

26035. Would you tell us that in your view public opinion in Ireland and especially the districts surrounding that untenanted land would permit the Congested Districts Board holding such land five or six or perhaps ten years until they were able to find suitable migrants from the congested areas to put upon it?—I consider that in the public interest it might be necessary to hold them. Ten years is a long time, but I say that if they held a good portion of the land for ten years it could be very usefully employed. The people knowing it was in the hands of the Congested Districts Board and that eventually it would be theirs would show no great discontent.

26036. It is a very important point, and I ask you to give us your opinion frankly?—I see your point.

26037. Let us suppose the Congested Districts Board by the plan you propose ultimately possess a large amount of grass land in Roscommon for the purpose of eventually putting migrants on it, and suppose that for the first two or three years they could not find suitable migrants, but that they were not discouraged and thought if they waited long enough they would be able to find those people. Do you mean to tell us that pressure in Roscommon itself would not be so great that the Congested Districts Board after a year

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or so would be practically forced to divide that land between the sons of tenants in Roscommon itself?—No not for two or three years

26038. How long do you imagine the Congested Districts Board could hold land like that without there being a local row about it?—There would be no local row

26039. Why do you think there would not be a local row You tell us the people you know best in Roscommon would be perfectly content for the Congested Districts Board to hold as owners large tracts of untenanted land in Roscommon, not for the benefit of the Roscommon people, but for the avowed purpose of putting on them people, for instance, from Donegal?—No, they would not have that.

26040. Then, what would they have?—Did you hear my scheme this morning?

26041. I did, but I do not remember that you touch on this point?—Do you remember the scheme I laid down for the carving of the joint?

26042 This is very important, and I must press you on it. I do not want the thing to go any further without getting your answer. Therefore your view is this, that if this land was held in Roscommon, that the claims of Roscommon people should be first considered?—Certainly, that is what I have stated

26043. Very well. I do not suppose there is very much difference of opinion upon that. But supposing there were not a sufficient number of migrants in that County of Roscommon to put upon that land would the sons of tenants in Roscommon be content to see migrants brought from County Kerry or County Donegal and put upon that land, and the claims of sons of tenants not favoured?—No.

26044. Then does your claim amount to this, that where untenanted land is purchased in the county the first consideration should be the re-settlement of migrants from that county, and if there are not sufficient suitable migrants from that county that the rest of the untenanted land in that case should be broken up amongst the sons of tenants?—Well, partly.

26045. Well, where am I only partly right?—I say partly That is, I would have a blend of suitable men —of suitable young men.

26046. What do you call a blend? Let me state it to you again. Perhaps I do not make my question plain. The Congested Districts Board buy large tracts of untenanted land in Roscommon. They first seek for congests from the County Roscommon?—Yes, and the improvement of uneconomic holdings

26047. Yes, and the improvement of uneconomic holdings Agreed. They cannot find sufficient suitable migrants in the County Roscommon, and therefore for the moment they are not able to put people upon this untenanted land. What are they to do? Are they to move in people to that land from other counties—migrants, or are they to divide it up in that case amongst the sons of tenants?—They need not do so immediately. Now, Lord Dudley——

26048 Now, I want an answer to this question before we go on another point. It is very important because it affects the whole scheme of migration. I must press you for an answer?—Well, I presented to you this morning my scheme

26049 Allow me to ask you to reconsider it, so far as this question is concerned What would you do in case you cannot find a sufficient number of migrants from Roscommon; what would you do with the land? —From the County Roscommon?

26050. Yes?—Well, as far as I could——

26051. No, no What would you do with the land? The untenanted land is in County Roscommon, and we agree that you have first to look for suitable migrants in Roscommon. You cannot find them. What are you going to do with the land?—We have plenty of them

26052 Do not try to get away with it like that You yourself have admitted that there may be this difficulty?—I know, Lord Dudley First of all, you start with assuming that the Congested Districts Board will have a large quantity of land in their hands

26053. Yes, in Roscommon?—And that they will have to hold that land for four or five or ten years, and then you ask would the people there be contented to have that land in the hands of the Congested Districts Board without having it divided I say that the Board would not have that land in their hands for anything like that time They would commence—if they had all Roscommon in the morning —they would start with helping Roscommon, so to speak. Having then provided, and having the class of people provided in Roscommon that ought to be helped to that land, you would have removed the great objection to migrants from other counties, when the people of Roscommon would ascertain that there was not sufficient land in other counties to help the same class of tenant that had been helped in Roscommon. I am not a prophet, but I know this. I will clear up the whole thing with you.

26054. I want you to answer my question?—If you want a reply from me straight as to whether young men from Roscommon would be content, I say unquestionably they would rather have the land than see other people coming into it. But if the Board is strengthened and made a national body rather than a local one, I consider then that all these objections can be got over in the interest of supplying the class of tenants that you want to settle.

26055. Let me take you step by step, and give me short answers, please?—Well, some of them require a bit of explanation.

26056 Well, as short as you can. You admit that the land would have to be held by the Congested Districts Board for a certain number of years You admit that?—Yes It would have to be held partly, or in portions.

26057. After the claims of the local people had been considered?—Oh, yes, it would be in a state of transition, and from time to time the planting would go on, just the same as the construction of a large railway. You cannot have it carried right through.

26058. I quite follow you. You need not elaborate your reasons, because I see the point of view you are arguing?—I think if you would allow me to read what I have prepared you could then go back, because I deal with some of the points that perhaps you will ask me

26059. You can read it presently when I ask my questions. You admit that the land will have to be held by the Congested Districts Board for a certain number of years?—No, I do not, but I admit that it would be a desirable thing to hold a part—not to give it all away.

26060 You admit that part of it will have to be held?—Yes, and very good use there can be made of it

26061. You admit that part of it will have to be held for a certain number of years. That admission assumes, does it not, that there is not, at first at any rate, a sufficient number of congests—suitable congests in the County Roscommon to move to the untenanted land which you would buy?—No, it does not admit that.

26062. Then why should you hold part of the land? —Because simply you have not the machinery—the Board perhaps has not got sufficient machinery to carve up the entire County of Roscommon, "all in a whiff," as the saying is.

26063 Well, you will not assume that there is not sufficient land?—I think, Lord Dudley, when you are on the spot you will understand the case better.

26064 I know Roscommon well, but not as well as you do?—I know, of course, that Rockingham is in it and that your residence there gave you some knowledge.

26065. We will not go into questions of machinery, because we assume for the moment that the Congested Districts Board would be endowed with sufficient machinery and money to do this properly. You suggest that they should have power to buy all the land that comes into the market?—Well, between themselves and the Estates Commissioners.

26066. Well we will assume that it is the Congested Districts Board. They go down to Roscommon and they buy up all the untenanted land in the county That is what you suggest should be done?—Yes

26067. Very well. They then proceed to look for suitable migrants in the County Roscommon, and they find a certain number, and this certain number occupy, let us say, one-third of the untenanted land which they have got in their possession. Another one-third, we will say, is used for satisfying local claims and the enlarging of small holdings in the vicinity of the untenanted lands That means that the Congested Districts Board will have a balance of one-third. That is the part you say they have got to hold for several years?—I do not say several—just enough to leave them discretionary power.

26068 Say some years—any that they cannot dispose of in a year?—It is not desirable that they should do so

26069. Does not the very fact that they have got to do that—and there is no difference between us on that

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Mr. John Fitzgibbon

—the mere fact that they have got to do that shows that there is not a sufficient number of suitable migrants in the first year or two in the County Roscommon to fill up the whole of the land which you would buy. What then is going to be the policy of the Board and what in your opinion should be the policy of the Board? Are you going to wait for three or four or five years—are you going to wait until you can find a sufficient number of migrants in the County Roscommon, or until you have educated a certain number of poor people in the poorer districts of Roscommon to come into that land, or are you going to divide it up amongst the sons of tenants? These are the two alternatives you have got—either to hold the land and wait until you can find a number of suitable migrants in Roscommon, or not to wait and give the balance which you cannot utilise to the sons of tenants?—Well, Lord Dudley, in this age of devolution, would you not entrust to the members of the Congested Districts Board, strengthened by the representatives of the different counties concerned, the carrying out of the scheme that would meet all the requirements of the congestion?

26070. Of course there would have to be a certain amount of discretion?—It is a matter of detail.

26071. Tell me which in your opinion as a local man ——?—Excuse me, I may tell you right off, and it might be as well you should know it, that I say that one body ought to be entrusted with the entire solving of the question.

26072. It is not an unfair question. You are a man of influence in the place, and you are a man who knows very well the feeling of the people of Roscommon. I ask you which, in the opinion of the people of Roscommon—which would be the most popular thing for the Congested Districts Board to do—to hold that land until they find suitable migrants or divide it up amongst the sons of tenants?—Oh, to divide it up amongst the sons of tenants There is no doubt about that

26073. And do you believe that would be so much the most popular thing that it would be difficult for the Congested Districts Board to do anything else?—Oh, no.

26074. Do you doubt, if they did anything else, they would have to run counter to a strong feeling in the district?—I think they would have to, but I may tell you, Lord Dudley, straight, that I do not think these questions should be put at this stage, do you see, because——

26075. I think they are very important?—I do not think so. Allow me to tell you that I think it is not desirable——

26076. Mr. O'Kelly.—Are you dealing with the subject later on in your evidence?—I am dealing with the subject, but it is really work—it is really a matter that ought to be considered, in my opinion, by the body to whom it will be entrusted to carry out the scheme.

26077. Chairman.—Are you going to embark this unfortunate body on a policy of purchasing land in Roscommon without giving them any information as to the state of opinion?—That is what I complain of, that we are not permitted to carve our own joint. What I want is that we should be allowed to do so.

26078. I am only asking you to tell us what way you think the joint ought to be carved?—I have gone as far as I think it prudent to go at this particular stage in the working out of the problem, and you can quietly take the hint.

26079. At any rate I think I am right in assuming that your view is that however the distribution is finally effected as between migrants and the sons of tenants, at any rate you have no doubt that the lands of Roscommon should go to Roscommon people?—At first.

26080. And until you are quite satisfied that there is no son of a tenant or migrant who wants land in Roscommon, that no land in Roscommon should be given to anybody else outside?—I am of that opinion, and as I have mentioned already on yesterday, an Irishman, no matter where he comes from, is the same to me. But I say the sentiments of the people ought to be considered first, and I think that in working out a scheme——

26081. Sentiment?—Local sentiment, I say, ought to be taken largely into consideration, because I consider that the problem ought to be left in the hands of those that I propose should be responsible—that is, the Congested Districts Board, with, say, one member from each county added to that Board.

26082. Sir Francis Mowatt.—I want to clear up this if we possibly can. We will agree that any lands bought by the authority, whether the Congested Districts Board or not, should first be divided among suitable Roscommon inhabitants?—Yes.

26083. First of all the congests suitable for it?—Yes

26084. The next stage is the sons of tenants who are suitable for it, you exhaust the suitable men and you next come to the men who you say would not be quite so suitable, who are the sons of tenants; what do you do with them?—I would say, all things being equal, the heads of families should come first.

26085. You put all suitable heads of families on land. You have got rid of them. You have got some land here. The next claimants you say are the sons of tenants?—I say a sprinkling, but I don't think it is desirable in the interests of what I consider a difficult problem to go into the particulars. I think that that statement I made ought to satisfy this Commission as to the way we purpose carrying it out.

26086. I think I may take it from you that you are not prepared to tell us now what should be done with the land after you have put upon it all suitable Roscommon residents?—Yes.

26087. You leave it for subsequent discussion by the authority; but at present you are not prepared to tell the Commission who should be the next class of persons among whom this unoccupied land is to be divided after you have put upon it all the suitable tenants of Roscommon?—No. I am not prepared. At the same time I have in my mind exactly what should be done, but I do not think it is prudent to mention it.

26088. Mr O'Kelly.—After you had satisfied the class of people whom you have described as congests in the County Roscommon, that is to say people whose holdings are under £8 in valuation, do you think it is likely you would have any surplus land left to divide among migrants from a distance or even to give to the sons of tenant farmers?—It is quite possible we would When we come to deal with the question I believe we have resources that do not appear exactly on paper There is any amount of unreclaimed land that is not placed there as land available that many tenants would be glad to work and make economic holdings; that is without removing

26089. There is no doubt, as those of us who live in the West know, that there is a very considerable feeling against migration?—Yes; when it is not diplomatically done. There must be an amount of diplomacy.

26090. There is no use denying that the local people take the view that migration to their district is not desirable?—But as long as the local people find out that they don't come exactly within the meaning of the Act there will not be that bitterness that otherwise would exist.

26091. Do you not think if those who like yourself have influence with the people were to encourage them to take a broader and more national view of the question that that would mitigate if not entirely do away with the feeling that I have referred to?—If the responsibility is placed on us we will settle the question very easily. Of that I have no doubt.

26092. What shape would that responsibility take? how would it express itself?—I would say a man or two, as the case may be, from each county. He need not be a member of the Council. He can be selected by the Council. What I would suggest would be a man who would be a strong man in his locality; a man that would have a bit of backbone, and run the whole show on national lines.

26093. Mr Bryce.—You say that the Roscommon congests should be first satisfied; that the local feeling would be against bringing in migrants from the outside?—I stated when giving my idea this morning as to how the joint should be carved, that the resources of each county should first be exhausted in that county

26094. I quite understand that, but why should there be any difference between one county and another?—There ought not to be

26095. Would the people in South Roscommon be any more satisfied if migrants were brought in from North Roscommon than they would be if migrants were brought over the border from the County Galway?—They would raise the objection, but there would be nothing in it; but at the same time I may tell you you would find people who would object to anyone coming in from even another parish. They would bring it down and say they were strangers when they were not in the same village.

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26096. That is the point. I do not see the distinction between county and county?—None at all.

26097. No more than between parish and parish?—Not at all.

26098. Or between townland and townland, or village and village?—No more distinction.

26099. Therefore why emphasise this point at all? Why talk about Roscommon as a unit? Why not talk of the parish as a unit or a village, and say first of all satisfy the village, and if there is any land left after you have satisfied the existing tenants in the village then provide for the sons of tenants?—There is no reason why you should That is a matter to be left to the authority.

26100. Mr. KAVANAGH.—When you talk of the sons of tenants do you mean the sons of large farmers?—No.

26101. You would limit it to a certain area of farm?—I would take first from the smaller class, if I found that they were suitable. I would reward them according to merit. The son of a strong farmer is often in a better position to purchase holdings.

26102. You would think the son of a large farmer would not have the same claim as a migrant from a different county?—He would not have any claim. I would put him out of the running altogether.

26103. Sir JOHN COLOMB.—I may preface my questions by saying what interest and importance attaches to your evidence as representing the largest political body in Ireland, and therefore when I question you it is for the express purpose of getting from you, its authorized representative, exactly what its attitude is I ask am I right in interpreting your attitude on all these questions to be this, that you advocate on behalf of that body which you represent the acquirement by the Congested Districts Board or by the State of the untenanted land of Ireland?—Yes.

26104 But you are not prepared to say what machinery and what methods are to be applied if you acquire these lands with State money? That is your position?—That is my position. I am here, as you have properly mentioned, as representing all Ireland and not the County Roscommon alone.

26106. Therefore the Commission has to take you as the mouthpiece of this organisation, expressing its opinion and advocating the policy of obtaining State money to acquire the untenanted land of Ireland, but not prepared to advocate exactly the machinery or methods by which this arrangement should be carried out?—Not in what I consider the narrow sense that it is placed before me. I outlined what the machinery ought to be, but as to the exact methods that that machinery will adopt in settling the question that will have to be largely guided by local opinion.

26107. And you have to leave the actual carrying out of the apportionment of these lands when acquired by the State to local opinion and circumstances as they arise in each district?—According to the lines I originally laid down. I laid down the class of people who should occupy these lands and how the problem was to be worked. I first advocate the catching of the hare, and then, I have no doubt, it will be properly cooked.

26108. But as to the mode of the cooking, I do not understand you to say on behalf of the great body you represent that you can work out the details?—They are already in my evidence as to how they should proceed.

26109. As I gathered from your answer to Lord Dudley, on the important point of keeping land in bands, you are not prepared, though you say it must be carried out on popular lines and diplomatically, to tell us exactly what you mean by diplomatically in carrying the practical work out?—I do not say all the lands of Ireland. I say the lands in connection with the settlement of Connaught, that it might be desirable to keep those lands some time in hands. I am aware how it ought to be carried out I have laid it down. It is on record

26110. We are asked to inquire into a certain question. We are obliged in any recommendations we make to have regard to and to sift thoroughly the most practical methods of carrying out our recommendations. The object of my question is to get from you if possible as representative of that great body, assuming your policy was to acquire untenanted lands for the relief of congestion in Connaught or elsewhere in Ireland, exactly the principle that will guide the distribution of that land afterwards, and I understand you are not prepared to say more than generally that it should be given first to local congests, and then to sons of farmers?—Of the class already mentioned in my evidence given on the first day.

26111. But as to the cost of resettlement and all that you are not prepared to give us any information or submit any calculation as to what would be the cost of carrying it out?—I can easily ascertain it.

26112. By your body?—No.

26113. Mr. BRYCE.—You see the difficulty we are situated in. We are asked to make recommendations. There is no use in our making recommendations unless we are prepared to outline a scheme up to its ultimate end. If we were to say, for instance, that we were going to buy lands in Roscommon, that first of all it should be given to satisfy the wants of congests in Roscommon, and after that the sons of tenants should be put on, it might very properly be said that that was not a scheme which was for the benefit of the whole of Ireland, and that it was leaving out of consideration the settlement of the most clamant cases, cases where the congestion is infinitely worse than it is in Roscommon, and that we were not by our scheme providing for the settlement of the really difficult parts of the problem. That is a point we are very anxious to settle. We are not merely to stop and say it is not prudent to say anything more if the land is bought, but we are to say what is to be done with it up to the end?—Very well; I will give you my views As far as congestion goes it is only the fringe of the question. The great question in Ireland is the cultivation of the lands that are at present not worked to the extent that they should be, the creation of a peasantry there on the plains from which their forefathers were evicted. I said in the beginning of my evidence that I was just as particular as to the class of men who would be planted on the land as a good agriculturist would be in the selection of the seed. All things being equal, I would relieve the heads of fam lies first; that is if they were the class of men suitable to work the land If they were not found suitable I would seek for the young men and plant them on the land But I maintain that if you want to improve the condition of Ireland and to make the country a garden that can supply England with a great deal of what she has to import from Canada and elsewhere at present it is necessary to plant on the large plains strong able men who will work the lands in such a way as will produce not alone for themselves but for the entire country three times the amount of revenue that the same class of land will produce at present.

26114. That does not come within the scope of our inquiry. The general improvement of the land of Ireland is not submitted to us in our reference What we are asked to make recommendations about is the relief of congestion wherever found?—It is only part of the problem.

26115. I think you are perfectly right, but it is not before us. The question we have to settle is the question of the relief of congestion. Our difficulty with your evidence is this. We are not quite clear whether after having satisfied the congests in the immediate vicinity of any untenanted land which was bought you would then, irrespective of the question of making the best of the land, be willing to go to Donegal and get congests from there, who might be perfectly suitable men, to bring to Roscommon. That is the national aspect of the question?—I would be very safe in saying I would, because I think they would never come

26116. Suppose that there were men on the other side of the boundary of Roscommon, in the County Galway or Mayo, who would be willing to come?—There might be an objection, but it is an objection that would be overcome.

26117. You, in fact, are willing to treat the question as a national one?—Certainly; and in my desire to have it so it is not prudent to go further into the question.

The Commission adjourned.

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FIFTY-EIGHTH PUBLIC SITTING.

MONDAY, MARCH 25TH, 1907,

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; Most Rev. Dr. O'DONNELL; JOHN ANNAN BRYCE, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.; CONOR O'KELLY, Esq., M.P.;

and WALTER CALLAN, Esq., Secretary.

Mr. JOHN FITZGIBBON further examined.

Mar 25, 1907.

Mr. John Fitzgibbon.

26118. SIR JOHN COLOMB (*in the Chair*).—I presume what would be most convenient to you, perhaps, would be to proceed to read what you wish to lay before the Commission?—Well, I wish, in the first place, to claim the indulgence of the Commission in going into a good deal of past history. All the same, when they will hear my story I have no doubt that they will come to the conclusion that I am aiming at the one object all the time. When I came over to London my first business was to see my chiefs, the men in whom the organisation trusts, not alone in Ireland, but who enjoy the confidence of that same organisation wherever it exists.

26119. When you came over to London this time?—Yes.

26120. To give evidence?—To give evidence. I therefore wished to place before them the nature of the evidence I was about to give, and arranged to have an interview with them. On seeing the principal, and when he heard my business, he at once said, "No necessity. I have heard your story so often. It is the one song you have been always singing. You have full authority from me, knowing that your views are ours." I have just mentioned so much to say that at all events I am here representing a very much larger section than the landlords' representative, who occupied the time of this Commission for five or six days.

26121. Four full days?—Well my time up to the present was one full day and two halves. On Saturday I returned with the same object of giving an account of how I got on, and I come here this morning with the words of my chief, "Fire away!" so that I have all the horse, foot and artillery of the United Irish League at my back this morning. I come a much stronger man than on any of the previous days, at least feeling stronger, feeling more convinced than ever that my views are the views of the general body of the organisation that I represent. Therefore you might expect some heavy cannonading, Sir John, but it will be practically only in the nature of a review, a very harmless kind of warfare. I am sorry that Sir Antony MacDonnell and Lord Dudley are not here just now, because I have just something to say that might interest them. But I am sure they will hear of it. What I am going to say now will be taken accurately down, and that is that the landlords of Ireland are largely indebted to both, for reasons that I will explain later on. You have heard a good deal of the Kilmainham Treaty. There were negotiations then which ended of course in the release of the prisoners then in custody through an arrangement being made to have the Arrears Act of 1882 brought in. Another treaty, of which, perhaps, this Commission or any other seldom or never heard before (at least I would not say a treaty, but there were negotiations for a treaty) took place between myself and a very large land agent of the Radical Tory type that belonged to the County Roscommon; and perhaps he and Mr. Crosbie, the gentleman, I think, that gave evidence here, as well as the gentleman of the same name (I do not know exactly the relationship, but he will give evidence here before you to hear me out)—these were the gentlemen, in the month of March, 1902, who, I think, might get credit for conceiving the idea of bringing about the Land Conference that was held subsequently. And I was merely asked to get Mr. John Redmond to give an interview to Mr. Talbot Crosbie, and that they would meet in London. The communication I made no comment on, although I may say here at once that I approved of the idea, and was delighted to hear that at last there was a prospect of bringing together men engaged in or occupying different camps, and that peace would be the result. However, I know nothing of what followed, but on my release from prison at our cross-road meetings and other meetings, wherever I went, I advocated the policy till at last my chief sent me word that for the present I might shut up. The Land Conference, to my knowledge, would have never taken place but for two things at least; and those two things are—one, the declaration of Lord Dudley in Belfast that Ireland should be governed according to Irish ideas, and the other was the appointment of Sir Antony MacDonnell, and to those two gentlemen, to the utterance of Lord Dudley and the appointment of Sir Antony MacDonnell may be attributed the fact that Mr. Redmond and his colleagues——

26122. Mr. O'KELLY.—And the declaration of Mr. Wyndham about the landlords themselves?—I would have added perhaps Mr. Wyndham, but I know that these are two of the gentlemen that are on this Commission

26123. And therefore you confine yourself to them?—And therefore I confine myself to them. But of course I wish in all cases to give credit where it is due, and if Mr. Wyndham's utterances entitle him to a share of the credit by all means he has it from me, with all my heart. I stand here as representative, as I told you, of practically the same men as those that were represented by Mr. Redmond, Mr. O'Brien, and Mr. Harrington at the Conference. I did not come to this Commission, I may tell you, to fight over what particular zone ought to be the ruling one, whether it was torrid, temperate, frigid, or ten points below zero. It is an important matter, no doubt, and one that is occupying a good deal of attention. I believe that if inspection is resorted to, what we will arrive at is probably the temperate zone. But a very much greater question is one that is occupying the attention of the tenant farmers, and not alone the tenant farmers, because I am not here representing the interests of the tenant farmers alone. I am here as the representative of every man that belongs to that organisation. There are labourers, artisans, tradesmen of all descriptions in that organisation, and I stand here advocating their interests in proposing the scheme of getting the land back to the people The landlords had, no doubt, an able advocate in Mr. Boyd. I could not at all put myself on a par with his ability. yet I feel that I have an advantage over him because he had a bad case and a bad brief, and the whole tenor of his argument was in one direction, that of abusing the plaintiff's attorney. He represented a narrow-minded remnant of a class that are every other day, as we see by Mr. Talbot Crosbie's negotiations and statements, getting smaller. I hope they will grow less, and that in a very short time this remnant will begin to think very seriously of their own future. My words to them, if they could reach their ears, would be to throw their

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lot in with the rest of their countrymen, and take a share in creating their country's prosperity. Now, since I approached this Commission before I have been turning over in my mind exactly its composition, and really it is just a fair sample of England's best disposition towards Ireland. I take this Commission as being appointed for the one purpose of finding out really what was wrong, and in placing Sir John Colomb on it I dare say that it just put him on as a moderator, that if other members of the Commission were going too far his moderating influence might keep them back. Mr. Bryce is a gentleman very well disposed, no doubt anxious to befriend Ireland——

26124. Sir JOHN COLOMB.—Would you just excuse me for one minute. I think it would be more appropriate, if you would defer reference to the individuals on the Commission till the Chairman came?—Very well, I will take up another part. Now, I will just deal with the population of Ireland. The wealth of a nation is its population. Ireland's condition today, with little over four millions, may be attributed to its loss of more than half its population. That half was by far the best half. It comprised to a great extent the manhood of the country, and Ireland lost its services; and those hands and brains that would under normal conditions be devoted to develop the resources of their own country have contributed to the advancement and building up of the great American Republic as well as of other countries. The one absorbing thought of every Irishman worthy of the name is how is this order of things to be reversed, and the answer at once comes back from every man of intelligence acquainted with the sentiments and aspirations of Ireland's sons—"Root the people in the soil; root the young men as far as possible if you cannot root all of them; select your best men and plant them on fertile ground." Now I am sorry that Sir Antony MacDonnell is not here to hear what I have to say of him, because it bears exactly on this point. Everybody that knows Sir Antony admits that he proved himself a man of genius and strong character, suitable exactly for the work that he had undertaken. For forty years he contributed to the building up—at least his service of forty years contributed largely to the building up of and restoring peace to the great Indian Empire. During that time his services were lost to his own country. Under other conditions unquestionably he might not have to seek that occupation elsewhere. We have him then after forty years returning to Ireland, anxious, most anxious, to serve his country. It is a notorious fact that he was sought for, and that he was the one man that was considered suitable at the time for the position he now occupies. But, unfortunately, his absence from his country placed him under a considerable disadvantage. Had he come back full of the ideas that he probably would have had had he remained in his own country it would have been all well, but he comes back full of Indian ideas, and, as I know, to my own personal knowledge, he finds it hard to adapt them to the circumstances of his own country.

26125. I thought you were going to put off further reference to the *personnel* of the Commission till Lord Dudley came. At least I was in hopes that you were going to do it?—Well, it is just bearing on the question——

26126. I merely suggested it?—It is quite in order what I am going to say. I am now just dealing with the machinery we have in Ireland for the working out of this problem. The worst part of legislation is that any good in the laws made for Ireland is generally lost in administration, and that is exactly the point that I want to bring out. There are men in Ireland that are not ours, of whom I have to speak too, who have been before this Commission, and who have made statements that I entirely take exception to, like Sir Horace Plunkett, who told you to be cautious, an able nice gentleman, well-meaning, just as well-meaning as I am or perhaps any other man in Ireland, but who was a good deal out of the country. Now, why have I been appointed to give evidence at this Commission? Why have I been selected over other men whose ability is far superior to mine? It is not necessary that you should even pass the junior Oxford to know this question. My education is simply that of the National School with one year added at the cheapest seminary in Ireland. The reason is that my chief knows that I understand the question thoroughly; that I have been through the whole campaign from 1879 up to the present; that I know exactly the wants of our people, and therefore that I am able—that I believe I am able—to tell this Commission in plain language exactly what is wanted. Now, Lord Dudley stated in Belfast—and that is my reason for quoting his "Irish ideas"——

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26127. I am very sorry to interrupt you, but do you not really think after what I said that you should wait for the Chairman, who will be here soon, that if you want to make any personal references to him it would be better to wait till he arrives. I think it would be better, because it is a general question that could only be decided by the Chairman, and therefore it would be more proper if you could kindly leave out personal references to the Commissioners, to the Chairman or others, till Lord Dudley, the Chairman, is with us. I am sorry to interrupt you, but I think it is better. I suggest it to you?—Very well. I bow to your ruling.

26128. It is a suggestion?—I leave that entirely till he comes on the scene. On Saturday I was informed that this Commission had to confine its report to the matter of the congested districts, that that is the question before them. I was till then under the impression that it was an inquiry into the working of the Land Act of 1903 with the view of ascertaining its defects in the matter of relieving congestion, as well as the independent views of those authorised to speak on behalf of those whose object is to settle the entire land question on lines that will not alone be conducive to this particular settlement, but on such lines as will be beneficial to the entire Irish community.

26129. One minute, Mr. Fitzgibbon. You have read, I suppose, before you came to this Commission the terms of reference?—No; I have read the evidence of all the principal witnesses, and certainly they gave their views on the general working of the Land Act.

26130. Quite so, but before coming here had you read the terms of reference to the Commission, which state exactly what the nature of their inquiry is to be and what is to be its limit?—I could not say that I have read it, but I carefully thought out my line of evidence.

26131. I do not want you to read it now (*handing witness a copy of the terms of reference*). I merely wanted to get at whether before you came here you had read the terms of reference. That shows what the business of this Commission is. Those are the terms of reference, and that is all that the Commission can do?—Yes.

26132. And that is the nature of the inquiry?—I see exactly what the terms are.

26133. Are you aware that the terms of reference were sent to the secretary of the United Irish League with the view of giving him the fullest information. Are you aware of that?—Not of that.

26134. There is no doubt about the terms of reference?—No; but I saw that other witnesses took, and of course it is applicable to the entire land question. As I stated before, this work of relieving congestion is only the fringe of the greater question of getting men on to the land that will take from it food and whatever is the result of their labour. I again wish to emphasise that every holder of an uneconomic holding is not in very many cases suitable for the successful working of a farm in the new country. I would say that my estimate is within the mark when I say that about one out of five will for some time be the proportion. Those entrusted with the arrangements will have to deal with the four remaining behind, and these may be divided into two classes, say, two that are attached to their little holdings, as the lord is to his castle, and who have said that they would not like to turn their backs on their holdings, on the home that they built themselves, and the land that they lost so much of their sweat in reclaiming. The remaining two are those who if placed on the land in what I term the new country would in all probability be a failure, being perhaps only an old couple, with their families settled down abroad, and the process of transplanting must therefore be hard on them. I indicated on my first and second day's evidence that I had a suggestion to make that you would take the strongest, which would be in the proportion of one to five, and the holding of the one to be divided among the four left. You will then have the condition of the one materially improved and of the four improved. Is there any question to be asked about that?

Sir JOHN COLOMB.—I did not want to interrupt you, as it is sometimes inconvenient to the witness when evidence has been carefully prepared by him to be put before the Commission.

26135. Mr. BRYCE.—Well, if you are only going to materially improve one out of the five, as they have all small holdings at present, and his holding is to be

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divided among the remaining four, it will improve them very little?—A good deal in many cases.

26136. Oh, of course, in some cases?—Of course the man you take would be the stronger man, the man that leaves the holding

26137. I think your suggestion is a good one. The only thing one wants to find out is about the improvement of the remaining four. They would not be very much improved, would they?—They will be improved.

26138. But these four holdings will in a great many cases hardly be rendered economic?—Well, with land reclaimed adjoining to it. There is a good deal in the district.

26139. I think we understand that?—Here is what I intended to put forward as evidence. It is evidence given by me eleven years ago before a Commission that sat here for the purpose of inquiring into unemployed labour.

26140 Sir John Colomb.—Will you kindly give the official name of the Commission and the date It is for reference?—The Report on Distress for Want of Employment. It is published on the 30th of July, 1896, and my evidence was given on the 1st of May, 1896, and if you would not mind I would just read it. It will only take a few minutes.

26141. Certainly?—Because I think there is a good deal in this that brings out exactly the views that I am expressing. It will just give you my idea of what the problem is

26142 Mr. Bryce.—What is the number of the report Is it 321 of 1896?—Yes.

"*Mr M'Ivor (who was in the chair), asked—"You live in Castlerea, County Roscommon?—Yes.*

"*What is your business?—Merchant.*

"*You have been a long time resident there?—Yes, since I was born.*

"*And you are familiar with the condition of the people with whom you do business, and who live in the neighbourhood?—Yes.*

"*And you propose to give us the benefit of your information and your observation upon the numbers who yearly leave Castlerea Union in order to seek employment in England?—Yes.*

"*Will you tell us about that?—In 1895 the labourers who left Castlerea station for England, not landowners, were 885; holders of land of five acres numbered 20; of 10 acres, 87; of 15 acres, 56; of 20 acres, 24; of 25 acres, 5; of 30 acres, 6; and of 40 acres, 4, making a total of 1,087. They left the station. These are belonging to Castlerea Union*

"*(Mr. Renshaw).—These are all males?—All males, yes.*

"*(Mr. Patrick O'Brien).—Is this an official Parliamentary return?—Yes. Then, belonging to Mayo and in the Castlerea Union, 283 left Castlerea station.*

"*You say these figures are taken from the Parliamentary returns—for what year?—1895.*

"*(Chairman).—Then the second point on which you expressed willingness to give your evidence was as to the character and the degree of poverty making this departure necessary?—Yes; the first thing which has come under my own knowledge and observation is that these people are, in the majority of cases, not even possessed of sufficient money to pay their travelling expenses across. I have frequently known them in large numbers to have to pawn their frieze coats to raise the money to help them in paying their railway expenses; which is, of course, a very expensive way of raising the wind. Then they have to depend on the shopkeepers to give their little families credit until they send them assistance from England; and to my knowledge they have not always been successful in finding employment in England; and the hardships they have undergone even in trying to return to their homes in some seasons is, to say the least, very deplorable. If there is a bad season in England, for instance, if the turnip crop fails, they are in many instances knocked out. As it is, I have known labourers go over specially almost depending on taking the weeding or hoeing of turnips; and, of course, if there should be any failure, it means great loss and disappointment to them.*

"*With regard to that what would you assign as the causes of this poverty—are such causes chronic?—Of course, the causes arise from the want of sufficient employment at home; in fact, from the want of any employment*

"*Taking the case of those 15 men who farm between 25 and 40 acres of land, what do you say?—As to the 40 acres, probably 35 of those would be unreclaimed land.*

"*But that is the size of the holding?—That would be the size of the holding*

"*The rest of the land would be merely rough pasture?—There might be five or six acres of land that would be under cultivation. The rest would be perhaps a bog. In fact you will find in all the congested districts of Ireland that the land is all poor; that is, generally speaking, the land is of the worst quality.*

"*The point I want to be clear upon is as to the nature of the poverty which leads these men to go to England and Scotland for temporary occupation. I understand, in your opinion, the causes are permanent, and the poverty is chronic because the causes are permanent, due to the poverty of the soil?—In a great measure due to the poverty of the soil and the small holdings, that is, the small amount of land that these people hold and to the want of employment.*

"*And to an excess of population over what the land can bear?—Yes, that is so*

"*Therefore this matter that you are speaking of is, practically speaking, a subject to be dealt with by the Congested Districts Board?—Quite so.*

"*Amongst your suggestions for improving this condition of things, you mention employment by the Congested Districts Board?—Yes, and I wish to mention here that it has proved a very useful Board; in fact, I should say the most useful Board that we have seen in Ireland for a long time; but, unfortunately, its powers are very limited; they have not an amount which is in any way adequate for the work which they could accomplish.*

"*You would suggest extending the powers, increasing the money, and extending the area over which the Congested Districts Board operates?—Yes, quite so*

"*And I think you suggest that especially the Board should devote itself to the reclamation and drainage of waste land?—Yes.*

"*Then, I believe, you hold views as to extending the operation of the migration scheme?—Yes.*

"*Tell us what you think about that?—I think that really it is in a great measure the solving of the Irish difficulty so far as the land question is concerned. Unfortunately in congested districts the people hold land which is inferior in quality; the holdings are small; and, with very small cost to the State, those people could from time to time, and without doing any person any injustice, be transferred from these districts to the large unpopulated districts. For instance, take holdings of five acres. In townlands there may be 200 tenants holding five acres each and, if you take away 100 of those tenants and add five acres to each of the other 100 holdings, and transfer those people, you improve their condition and materially change the aspect of the whole country. Now, from time to time, and to my own knowledge, there are large tracts of pasture land brought into the market for sale which could be bought up by the Congested Districts Board and retailed, if I may put it so, into 15-acre lots, to good, industrious tenants; and, by doing this, there would certainly be a lot of employment given, and there would be, in a great measure, provision made for unemployed labour at home*

"*The fact is that the migration department of the Board's work has been so successful you think, and is so promising for the future that you would advocate a large extension of its operation as the chief remedy?—Yes. To further illustrate what I wish to convey to the Committee, I may mention here that where there are tenants in Ireland located on good land, there is rarely that poverty. Even though they have to pay a fair rent for that class of land, you never see that poverty which you will behold where the land is inferior, and where the rents are small*

"*(Mr. John Burns).—And where the holdings are small?—Where the holdings are small and the rent small.*

"*(Chairman).—Have you personally seen the working of the Ffrench estate which has been purchased?—Yes*

"*You mentioned that specially in your letter. Will you tell the Committee about that?—That was an estate that was brought into the market some few years ago, and there were a number of tenants adjoining, and their little holdings were increased, and in some instances the tenants were transferred, as I have pointed out. The estate is there for everybody*

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to see; it is a marvel of success so far, and everything promises.

"*It holds a prosperous community?—Yes.*

"*Do you believe that the facts as you have stated them about the Castlerea Union, of Roscommon, and the figures you have given us, may be regarded as a fairly characteristic picture of neighbouring unions in that part of Ireland?—There are neighbouring unions where I am sure the figures are larger.*

"*Worse?—Worse.*

"*(Mr. John Burns).—What is the work these men who migrate mostly do at home; is it cultivating their small holdings and other odd jobs?—Yes, cultivating their own little holdings, where they have holdings.*

"*And at other times doing what odd jobs they can?—There is practically nothing to do. I may mention that if they only could get half the wages at home, according to my own experience, the last thing they would wish to do is to leave home and come over here.*

"*Then I gather from you that the lack of work and the idleness that is imposed upon these people is compulsory?—Unquestionably.*

"*And that the smallness of their holdings does not permit of continual employment?—Yes.*

"*And where the holding is not too small the capital is too small, I suppose?—Yes, the capital is small. In fact through their poverty on these small holdings, you will frequently see women working instead of men, while the men are over here in England; the women cultivating their holdings at home.*

"*In harvest time if the men's holding were a bit larger and their capital was larger, they would be at home?—Certainly.*

"*And their wives would be in the house looking after the children?—Yes.*

"*But instead of that the wives and the children are engaged in doing the work whilst the husbands are harvesting in England?—Quite so; and the children kept from school, where they should be.*

"*Is the labour of these men mostly confined to agricultural operations in England?—They know nothing else, practically.*

"*They are not employed at all by local authorities, or in gasworks, or at the docks, or in any other way?—I have rarely heard of their being so employed; there might be isolated cases.*

"*And the competition they submit English labour to is purely in the field of agriculture?—Yes, generally speaking.*

"*And at the busiest times of agriculture?—Yes. As a proof of that when the harvest is over they come home.*

"*What proportion of these men stay behind; a small proportion, I suppose?—Very small. Out of two or three of a family, two might return home and one remain; or one go home and two remain.*

"*Now, what method is there, as between the district from which these men migrate and the district where the men work in England, of conveying information that work is obtainable; do the farmers send word to them, or do they simply risk it?—In most cases they risk it. There are cases where farmers in England write, and even send them money to bring them over.*

"*But there are few cases of that kind?—Yes, those are few.*

"*Now, in the event of this condition of things temporarily existing, would you suggest some means of communication between those having the work to give and those willing to do it; would you recommend that there should be some systematic communication between the farmers who wanted labour in England and Irishmen who were willing to do the work; that would be better, would it not, than the men risking it?—It would be just a choice of evils. I very much prefer to see them kept at home.*

"*Yes; but I am assuming the present condition of things. I am not assuming a permanent remedy. Now, assuming the condition of things to last for a few years, would it not save the men very much risk and much exposure and many temptations if they were put into direct communication with employers of labour in England?—Yes, if there was reliable information. It would be very hard to keep them at home; for if they are unemployed at home they must go and seek employment somewhere.*"

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26143. Mr. Bryce.—Mr. Fitzgibbon, that is very interesting, but it is not quite on the point that we were really on—the amount of improvement that was going to be given. I only asked that as a preliminary question to a consideration of this further one. Take the case of Connemara, where I do not think you will find one in five or ten or twenty that would really be in your sense a good man to migrate. Those men have no experience practically at all. You know that?—Oh, yes.

26144. What could you do for them? Supposing their fishing cannot be improved, and I do not think it can, and suppose there is no other industry then at which they can be employed, what would you do with those people?—I would try to create an industry. There are several industries that can be created. At present, take the hosiery industry for instance, but for any industry it is not necessary to have capital. Take the hosiery industry. Now there are several factories through Ireland most successful. I know one in Newtownards that commenced with eight hands, and at present there are up to 500 occupied in that, and the value of the work is good. It is not because it is Irish-made that that factory has succeeded. It is simply because they are able to compete with England, and to give me, as a draper, as good value as I can possibly get in Leicester or elsewhere.

26145. And would you propose to start without capital?—You have the best capital, that is, hands to work.

26146. But there is machinery wanted, and so on?—You have simply to get one man. Now, it is no harm to mention in connection with that factory that I was just feeling the pulse of one of the men employed there that I considered a good man to start a factory in my own town, for instance, if I had the opportunity, and of course he is willing to go. Your factories in England and Scotland are generally started with one man. You must have one man. If you have not it is no use—if you have not the one man.

26147. I quite agree with you?—Take Mr. Smith, in Athlone, a man who started at practically nothing. I venture to say that his mill's earning powers to-day are equal to £4,000 a year, and that is giving employment to five or six hundred of our people. He trained them himself—I mean that he trained those that trained them.

26148. Now, I suppose you know that there has been fault found with the Agriculture Department for attempting to start enterprises with State capital—that there has been the greatest amount of animosity created against the Department by their attempting to do that, which is the very thing that you say ought to be done?—Animosity from whom?

26149. From various companies?—Is it people that they interfered with in trade?

26150. Well, I presume in some cases, yes. We had the case of a jam factory, for instance, where they established a jam factory, I think in Louth, and they were attacked, and they had eventually to give it up?—By whom were they attacked?

26151. From various points—?—Were they Irish people?

Mr. O'Kelly.—I think it was a Scotch firm that took the initiative.

26152. Mr. Bryce.—Now there is a good deal of feeling against them in Derry for starting a shirt factory in Armagh. Evidently there is that danger on the part of industries started entirely by private enterprise. There is danger of animosity being excited on the part of existing interests?—I grant you we are a very jealous race, but that is no reason. These are flimsy excuses. I am not a believer in these State-aided things at all. I would rather we would be allowed to rest on our own resources.

26153. I quite agree with you?—It all comes back to the carving of our own joints. The whole question comes back there.

26154. Mr. O'Kelly.—But, Mr. Fitzgibbon, do you not think we have a right to claim subsidies for Irish industries—do you not think that we have a reasonable claim on England, considering the operation of past laws which militated against the starting of Irish industries, and strangled Irish industries?—I have said so, but the question is that we ought to be allowed to apply for subsidies.

26155. Chairman (*Lord Dudley*).—I should like clearly to understand what your views are on this question. Do you, or do you not, believe in State

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money being given to start industrial enterprises. You apparently have given Mr. Bryce contradictory answers. I understood you to state that factories ought to be started. Presumably you mean by that started by State help?—No.

26156. Then you do not mean by State help?—No.

26157. Then am I to understand that you are not in favour of State help?—I say you want to get a man, and then having found him, if he finds it necessary to have capital the State can advance that capital.

26158. Then you do come to the State?—But if the State is running the machine itself I think that is not the thing to do.

26159. Mr. Bryce.—You would leave it that power?—Yes.

26160. Chairman.—Do I understand this, that what you mean is that the State should advance the capital necessary to start an industry?—Well, it ought to largely supplement it.

26161. It ought to give a grant in aid?—Yes.

26162. Then how are you going to get over Mr. Bryce's important question about the animosity which would naturally be created amongst the people who have not the benefit of a State grant?—Why should animosity arise?

26163. I will give you an instance. Just outside the congested area in Donegal there is a very prosperous weaving factory which we visited. It is half-way between Donegal and Strabane, at a place called Convoy, and that factory has been started entirely by private capital?—By private capital?

26164. By private capital. I think the people are Scotchmen. I am not sure whether they were Scotchmen or Irishmen, but at any rate they had no State assistance, and we found a very great conviction in their minds that they could get along all right so long as competitive establishments were not set up in the congested area of Donegal aided by State funds against them. They gave us to understand quite frankly and plainly that they would regard that as an unwarrantable use of State capital, and there are a great many people who would agree with them?—But this is a prosperous concern.

26165. And they wanted to keep it prosperous?—Quite so. My strong opinion is that it should not be interfered with.

26166. Then if you do not like to interfere with it how do you propose to do anything to start industries of that kind in the congested areas?—I would start them if they be needed. If you have an industry that is going on there, is it not exactly supplying the place of the State? It is only in the absence of such industries that you would be warranted in establishing it.

26167. Perhaps you do not follow what I am saying?—I know exactly what you are at.

26168 Where you have got an industry of that kind existing by means of private capital, lying just outside the congested area, do you think that the State is justified in subsidising any factory of the kind within the congested area, aiding it by State capital?—I think that the State ought to take very good care that the starting of that additional factory would not interfere with the employees going to the other factory, but beyond that, if there was necessity, unquestionably, for in the prosperous factory there must be employed all the hands that are available

26169. It is not a question of employment it is a question of outlay, it is a question of prices, and naturally the State-aided factory would be able to put out its goods by reason of the State grant at much lower prices than this other one?—I do not believe it at all. It would take them all their time in this State aided factory. Very often you have not the best men.

26170. We need not pursue it Why did you say you would not touch the Connemara men, why would you leave Connemara men there, why should not they be migrated the same as anybody else?—Because I do not think they would succeed.

26171. Why do you not think they would succeed?—They have not been accustomed

26172 To what?—To work agricultural holdings, the class of men that Mr. Bryce has described.

26173. Your test was sobriety, industry, and thrift?—Yes, and capability.

26174. You said industry, sobriety, and thrift?—I refer to the report—capability.

26175. Mr. Kavanagh.—I think you mentioned that too?—Now you were not here, Lord Dudley, when I was referring to yourself, and it would be no harm to go back.

26176. There is no earthly reason why you should refer to me. I have nothing to do with our terms of reference. If you will kindly keep to the subject before the Commission I should very much prefer it?—Yes, it has a great deal to do with it, because you say Ireland should be governed according to Irish ideas.

26177. That has nothing to do with our terms of reference?—I maintain it has.

26178. I maintain it has not. I am in the chair at this Commission and I am afraid I cannot hear evidence on that point. Now, will you go on to the question about Connemara?—Now, you have been feeling my pulse for the last three or four days, and I have been feeling the pulse of the Commission, and a straw shows how the stream goes. I mentioned it before, and it is well you should hear it now, at the opening this morning, that before I came to this Commission I saw my chiefs. I saw the men that are at the head of the organisation that I represent. I wished to submit to them the line of evidence that I should take up, and in the words of my chief, he said: "Go on. There is no necessity. Fire away. We heard the same story from you over and over again, so it is the one song that you have sung and that we all sing, and we know that you will exactly put our views right before the Commission." Now, what I say is that it is simply to bring us to the Committee stage of the Bill before actually the Bill has got its second reading, so to speak. I have been taken into detail on what we are to do with our joints I maintain that what we are entitled to, if we are going to carve them according to our own views, is to get them. If you want them carved according to the English views then it is a great deal better to keep them and not for you to attempt to carve them, because if you do you will unquestionably make hash of them. To settle the question requires millions of money—legislation, even the best, for Ireland can by the administration of it be destroyed. You want to know from me what we would do with the land if we got it. I say that there are congests that are of more value to Ireland that leave her shores every other day. Those are the congests that I want largely to keep at home. Of course I say that I have felt the pulse of this Commission. Now this Commission is a fair sample of the best intentions of England towards Ireland. I have been coming here for twenty or twenty-five years, and I have met the same class of gentlemen over and over again splendidly disposed to Ireland, have chatted with them in the trains, in the business houses, at the hotels and all, and after hours of conversation with them in the end they would say: "It is a most difficult question; I am afraid we will have to get out of it." That is about the size of the question. Now, you have on this Commission Mr. Kavanagh——

26179. I must ask you not to refer to any questions of a personal character?—I must say that Irishmen on this Commission stand exactly——

26180. Mr Fitzgibbon, please confine yourself to the terms of reference, and do not go into any question of the *personnel* of the Commission?—Very well. I have every reason to refer, because I know what the finding of this Commission will be. It will be a half measure, due entirely to the fact of having on the Commission men who are timorous and nervous.

26181. Let us understand each other at once, and the more clearly we do the better. You are not giving evidence now on the subject of our reference. We are very anxious to hear your views on the subject of the reference, but let me tell you once and for all that we have a good deal of work to get through, and we have other witnesses to hear, and I am not going to allow you to waste the time of the Commission by talking about things that have nothing to do with the reference. Mr. Fitzgibbon, if you insist on going on to waste the time of the Commission I shall have to bring your evidence to a close?—You know you have listened patiently to the landlords' side for five days. You will have now to hear me give the other side of the picture.

26182. Mr. Fitzgibbon, I am not going to hear you if you are going to speak about the members of the Commission?—I shall, if you will allow me to go on,

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show you that I have everything to say to the members of the Commission. What is the Commission aiming at? Is not it to settle the question of congestion? Is not it to inquire, as I say, whether the Congested Districts Board or the Estates Commissioners shall have the settlement of Connaught? Is not that part of the programme of the Commission? Is not it whether the two bodies should be rolled into one? Now, what I say is that we want the Connaught question settled by capable men, and I want to show that there are members on this Commission who are endeavouring to have men placed over Connaught to work the Connaught question that are incapable, and therefore I say I have every right to give expression to my views and to show thereby that I am within the scope of this Commission. You know, Sir Antony, I am sorry, is not here——

26183. Will you please confine yourself to the reference and not make remarks about the *personnel* of the Commission. Please remember once for all that I am not joking. I do not care whether we heard Mr. Boyd for five days or fifteen days. That does not affect me in the least. What I am concerned with is the time of the Commission, and I tell you frankly that unless you will confine yourself to the terms of the reference I shall bring your evidence to a close?—Then I will confine myself to the three joints. Is that within the reference?

26184. Oh, certainly?—I maintain that those three joints are necessary.

26185. The three joints being the untenanted land, the tenanted land, and the land which is in the hands of large graziers?—Yes. The first is the untenanted land, that is what I call lands in the hands of the landlord and let on the eleven months' system. The second is what you call tenanted land, that is land that has not even a residence on it, and is let for grazing purposes. The third joint is the residential holdings of 500, 400, or 200 acres, as the case may be, according to the use the occupiers have made of them. These include the demesnes—hundreds of acres around the demesnes in the counties of Roscommon, Galway, Leitrim, and Mayo that are not utilised for the purpose of cultivation. I say these three joints are necessary. I know that some members of the Commission think, and have given expression in my hearing to the view that there will be a terrible row if we go so far. I can assure the Commission that I do not want any rows. I know there will be a great and sad parting between the men who are selling these lands when the time comes for giving them up. But I look to another parting that is far sadder and which is taking place as I am speaking now from Athlone to Westport, and from Galway to Athlone. Go to the railway stations and see the emigrants there parting with their parents, and I ask the Commission if there is to be a terrible row over these lands, whether it would not be much better to have that row at once and have done with it, instead of keeping it simmering for the next 27 or 28 years as it has been doing from the passing of the Act of 1881 down to the present time. If this question is allowed to be settled by men who are capable of settling it, it will be settled without difficulty. I know very well that the men who bought under the Ashbourne Act, and who ought not to have bought under that Act, will not like it. You know as well as I do that The O'Conor Don will not like to part with Ballintubber. There is an old castle on the land there. We do not want the castle; we want the land. We say that the land over which cattle and sheep are now grazing should be in the hands of the people. We know that Lord De Freyne does not want to part with the several hundred acres round his demesne. We leave him his demesne, but we know that there will be a great row if we try to take some of the 2,000 acres around Lord Crofton's demesne. It is better to have the row now. I wish to try to bring this question to a close. I was a party to that conference which was brought about. It is peace I want, and not to hang up this question again. I know what the recommendation of this Commission will be. It will be simply a half-measure. We have Sir Antony as a restraining influence——

26187. CHAIRMAN.—You must not go into that?—You may try to shut me up, but you cannot prevent me from thinking.

26188. Oh, no you will be able to think after you have finished your evidence?—Exactly.

26189. Is that all you wish to say on that point?—I have got plenty to say. I came down armed with plenty of ammunition. I am always firing at the same mark.

26190. I think you want to say something about that—the duty of the law?—The duty of the law—yes. It is eleven years since I gave evidence before a Commission on the same subject. I will give you an instance of the State delay. This is in my evidence before a previous Commission.

26191. What Commission was that?—The Commission on Distress from want of Employment, of which Mr. John Burns was a member. I may say that my views eleven years ago were exactly what they are now, and they are the views of men who are dead and gone—Michael Davitt and Charles Stewart Parnell. I was asked: "With regard to migration from one district of Ireland to another district, you are generally favourable to that being done on a much larger scale than at present?—Yes."

26192. At the public expense?—I said it could be done with very small loss to the State.

26193. But you think that the State would do wisely to spend money on an object of that kind?—I think the Congested Districts Board could have more power, and in fact go to more trouble——"

26194. I do not think you need say any more as to the advantages of migration?—It was just a paragraph showing that an estate of 2,000 acres was let go without being purchased, which the Congested Districts Board will have to buy over again.

26195. You gave us on Saturday one or two instances of that kind?—Very well, I will put in the whole thing as evidence.

26196. I quite understand what you wish to convey. I do not think we need have anything more about compulsion?—I think uniformity of purchase might be treated. I have been watching the Commission closely and the questions put by members of the Commission, and by Sir Antony MacDonnell in particular, to the witnesses who came up as to their opinion about the amalgamation of the two bodies, and I could see that there was evidently a desire to bring about that amalgamation. I will give my reasons for saying that that is not desirable, and that the Estates Commissioners ought to be engaged in doing the same work practically as the Congested Districts Board, although not in the same provinces. Their work ought not to overlap. My view is that competition of a mischievous character ought not to go on. For example, it has been insinuated that the Estates Commissioners buy land cheaper than the Congested Districts Board. That is quite possible, but I can show this Commission a case where the Congested Districts Board bought land cheaper than the Estates Commissioners. So that it is practically tit for tat. I will take the case of the Balfe estate.

26197. In making this comparison I take it that you are referring to untenanted land?—Untenanted land, of course.

26198. And you are quoting a case where the Congested Districts Board bought untenanted land cheaper than the Estates Commissioners?—Yes. The Estates Commissioners purchased the Balfe estate through Judge Ross's Court. They unquestionably got what is considered very good value. The Congested Districts Board purchased a large quantity of land direct from the owners, in close proximity to the Balfe estate—in fact, the two estates adjoin each other. In the case of the Balfe estate, the tenants have unquestionably what is considered better value than what the Board obtained. On both estates migrants are coming, and both are in a state of transition. On the Board's estate rents have been indicated to the new tenants in eight or nine cases, and this has also been done on the Balfe estate, and it is generally admitted that the rents on the Balfe estate are less than the others. The Estates Commissioners bought the untenanted land of the O'Conor Don at Ballingar, and the Congested Districts Board bought land adjoining. At Ballingar the lands sold and given by the Estates Commissioners to the tenants are unquestionably some of the dearest land purchased in Roscommon, and the value of the land that will be offered by the Congested Districts Board is much better. At least, there will be that difference between the price of the land in the neighbourhood of the O'Conor Don's on the cheap side as there will be between the prices paid for the Clancy and the Balfe estates. Now, that is a fair example of the necessity of one body dealing with one district if uniformity of price is to be the rule, and if the same treatment is to be carried out. If there have been faults in one body as regards price, the same faults are certainly to be attributed to the other body.

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Mr. John Fitzgibbon.

26199. Do you wish to see the Congested Districts Board retain its purchase powers, but that those powers should be confined to Connaught?—I say that the Board should continue, at all events in the Connaught counties, to retain purchasing powers.

26200. What is the difference between Connaught and the Connaught counties?—Well, Donegal is not in Connaught.

26201. You call Donegal a Connaught county?—It is an expression we make use of.

26202. Do you call Cork and Kerry Connaught counties also?—Yes.

26203. Mr. O'Kelly.—Not geographically, but for the purpose of defining the congested area?—Yes. I would invest the Congested Districts Board with the same powers of dealing with all classes of land as the Estates Commissioners enjoy. I would give them the same powers and privileges.

26204. Chairman.—What powers and privileges of the Estates Commissioners have you in your mind?—The privilege of dealing with evicted tenants. To my own knowledge friction has occurred between the two bodies over the grants to evicted tenants on the De Freyne estate. It is a mischievous thing, because it indicates to the evicted tenants that the Estates Commissioners are the body to buy the estates.

26205. I see?—You understand how it works out?

26206. You would like the Board to have the same power of creating new tenancies on the grass lands they may puchase as the Estates Commissioners?—Yes, the very same powers.

26207. Mr. O'Kelly.—You would hand over the Connaught counties and the other congested counties exclusively to the Congested Districts Board?—Yes, and allow the Estates Commissioners to do work of the same nature in the other three provinces. You would then have rivalry of a wholesome character without any clashing.

26208. Mr. Bryce.—Suppose there was some land in the other three provinces that was not wanted there for the relief of congestion, is it not a pity that the Congested Districts Board should not be able to make use of any such surplus in the other provinces?—I deal with that question in a paragraph lower down, where I refer to the relations between the three Departments—the Congested Districts Board, the Estates Commissioners and the Agricultural Department. My idea is that the three Departments, which are all engaged in the same work, should sit down at the same table, and see what the one could spare to the other. They are all engaged in the one task of settling the land question in Ireland.

26209. Chairman.—Do you suggest that the Congested Districts Board should retain purchase powers not only all over Connaught, but also all over Donegal and the other congested areas in the south in Cork and Kerry?—Whatever counties would be amenable to their treatment.

26210. Do you mean counties that have already been scheduled as congested?—Counties that have already been scheduled, and where the Board started their work.

26211. Then you would give the Board purchasing power all over the scheduled areas, and also all over that part of the province of Connaught which is not scheduled?—Yes. The Congested Districts Board ought either to deal with Connaught as a whole or not. If it is not going to deal with Connaught it should be handed over to the Estates Commissioners.

26212. You would give the Congested Districts Board jurisdiction over all the non-scheduled part of a county if within that county there are certain scheduled areas?—Exactly.

26213. Mr. Kavanagh.—That would include the whole of Cork?—Yes.

26214. Mr. Bryce.—But there is only a small part of Cork congested?—I would not do that. I would give the Congested Districts Board the entire work in Connaught and Donegal, where they have been largely operating, and leave Cork and Kerry to be settled otherwise.

26215. To whom would you leave Kerry and Cork?—To the Estates Commissioners.

26216. Then you would have different treatment there?—The Estates Commissioners have been dealing with congested property.

26217. Yes, but I want to know where you draw the line. You tell us that Cork and Kerry should be handed over to the Estates Commissioners?—Yes, and Mayo and the whole province of Connaught and also Donegal to the Congested Districts Board.

26218. Chairman.—How would you propose to settle the Donegal people? There is certainly not sufficient untenanted land, or grass land in Donegal to settle migrants. How do you propose to enable the Congested Districts Board to find enough land there?—Lord Dudley, you are a great man for raising difficulties.

26219. Certainly, it is my business to examine into all difficulties?—Well! "How will you solve this question"—that is the line of argument. I have heard all along Donegal will be solved by the Congested Districts Board if you just create the Board on the lines I have laid down——

26220. Well, you have not told us. Perhaps you have not thought about it?—No, I have never thought about it; it would be impudence in me to think about it with men like Dr. O'Donnell on the Board, and men like him who have given great thought to it.

26221. You are not prepared to say how the "congests" are to be dealt with?—No.

26222. Sir John Colomb.—Are you prepared to say how the "congests" in Cork, Kerry, and Clare are to be dealt with?—No; except by starting upon the best lines.

26223. And your line lies only in Roscommon?—Well, in Connaught.

26224. Connaught as far as the question of congestion?—Yes; but I have the whole of Ireland in my mind in so far as it is a national question. I am looking to a Department doing so much work for a certain portion of the country and employing itself there, and the other work I leave to the Board—to the men of experience who are working the eleven hours of the day.

26225. Chairman.—May I ask you if this fully represents your views. You can tell me if I am wrong. As regards congestion in Connaught. You would propose to settle that by giving the Congested Districts Board full purchasing powers over the whole province of Connaught?—Exactly.

26226. And you would invest the Congested Districts Board with the same powers as the Estates Commissioners?—Yes. I would have them enjoy the same powers exactly.

26227. That is as regards Connaught; as regards Donegal you don't make any suggestion?—No; but I suggest that the Congested Districts Board should retain it, because it has been operating there since its creation.

26228. You do not know the places outside Connaught sufficiently well enough to give us any suggestion with regard to the relief of the congested areas?—No.

26229. As regards Kerry and Cork, and other places I think you would hand them over to the Estates Commissioners?—Yes, and I am sure they would deal with them well.

26230. Mr. Kavanagh.—But they would not deal with them in the same way that the Congested Districts Board would?—I would give them the same powers.

26231. Have not they the same powers at present?—No; they have not the revenue.

25232. But have they not the same powers?—I certainly would give them the same powers. They have had some powers wherever they were dealing with congestion in my neighbourhood.

26233. Certainly to a certain extent they have the same powers?—Well, I would invest them with the same powers when dealing with congestion in the South and Midland Counties of Ireland.

26234. Chairman.—These views are showing the opinion you hold as regards uniformity of treatment?—Yes.

26235. Sir John Colomb.—You would not as regards congestion have uniformity of treatment in Connaught and in Cork and Kerry?—I would deal with the circumstances according to requirements.

26236. Chairman.—We now come to deal with the relations of the Congested Districts Board, Estates Commissioners and the Agricultural Department?—Yes. I suggest that these three Departments should have a common place to sit from time to time when any one body should be at the disposal of the other. The Congested Districts Board would then at any time walk into the Estates Commissioners and see how they were getting on, and see whether they required any land. For instance, in Connaught

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there might be a very large grazier who would be prepared to leave. I am referring to a residential grazier who would be prepared, as I say, to leave and go to another county in Ireland where land would not be so much required, and the Estates Commissioners ought to be in communication with them. So that they could give all the information necessary. Unquestionably such intercourse would be desirable for the working out of the entire scheme.

26237. CHAIRMAN.—With regard to your suggestions as to the methods of selecting migrants in congested districts. Would you say something about that; it would be interesting.

26238. Mr. O'KELLY.—Before we come to that there is just one or two questions. You are aware that the Congested Districts Board meets once a month?—Yes.

26239. As a result it cannot have that continuous supervision over its work in the country which a body that meets daily could have?—I am very glad you mentioned that.

26240. Do you see any objection to that?—What I would suggest is that the Board should have its meetings from time to time in the counties where they might be operating. For instance, if they were largely operating in Roscommon they would have a meeting there, and then the members of the Board would have an actual opportunity of seeing the work going through. So in Mayo, at another time in Sligo, at another time in Leitrim and so on.

26241. They could not, of course, meet there daily?—No. I think they should have headquarters in Dublin, and they might delegate some of the work to the province.

26242. At any rate the want of that continuous supervision puts the direction of the machinery into the hands of the officials?—Yes; if you want to deal with any question you must be thoroughly acquainted with it, and I am sure there are some members of the Congested Districts Board who never saw a congested estate.

26243. At any rate, the want of that continuous supervision puts, as I say, the direction of the whole machinery of the Board into the hands of the officials. Is that so?—Yes.

26244. CHAIRMAN.—You do not mean seriously to say that some members of the Congested Districts Board never saw a congested estate?—There may be one such. I think I heard of one ornamental member. I think I am accurate in a sense; he might have taken a motor tour. That would be the experience of some of them. I don't think they ever went through a bog.

26245. I expect you are wrong?—I hope I am.

26246. Mr. O'KELLY.—Everyone would have confidence in the work of the Board and the officials of the Board so long as Mr. Doran took any part. He is a man of level head, common sense, and a great deal of tact?—I entirely endorse that statement. The fact is that Mr. Doran was cradled in the work.

26247. That is my point?—He was valuer upon the Dillon estate twenty or twenty-five years ago, and he was all his life living among that class of people. That has given him knowledge most valuable for settling the question. He is the most energetic man I ever met in any Government Department. Sometimes at 11 o'clock you will still find him engaged in his work. It seemed to be one absorbing question with him morning, noon and night, and I think the man takes an extraordinary delight in these matters. He is capable and sympathetic, and I think these qualities are most essential in dealing with matters of this kind.

26248. And it is because of these qualities that he induces public confidence?—Yes.

26249. Have you considered what may happen in case Mr. Doran is transferred to another place. Would the people then have the same confidence in the Board, or would there be anything like the same continuous supervision over its work?—I do not want to go into that now, but I do not know any man in Ireland that could take up the same work and carry it out so successfully as Mr. Doran.

26250. But in case you are a believer in the advantage of continuous supervision for this class of work, which is most delicate and difficult, do you consider that the transfer of Mr. Doran would be injurious?—I think the success of Mr. Doran's work may be shared with some of the members of the Board who understand the question, and who have been always equally energetic with him.

26251. But in any case you do believe there is a great deal to be said in favour of constant continuous supervision?—It is most essential. I wish to add that of course under the new arrangement there ought to be more supervision, and, of course, that the Board ought to get increased funds and have the question settled more rapidly.

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26252. Have you considered, Mr. Fitzgibbon, whether or not it would be well, or whether it would be a wise arrangement to transfer the officials of the Congested Districts Board to the Estates Commissioners, taking Mr. Doran over as a Commissioner equal in authority to the other Commissioners, and giving him charge of the congested districts portion of the Estates Commissioners' work?—I think it would be most imprudent.

26253. That is what I want to find out?—Yes; because I think the success of the working of the Congested Districts Board largely depends upon the constitution of the Congested Districts Board. If you did away with the Congested Districts Board now it would be just sending the people away who had worked the eleven hours of the day, and giving to the men who came in at the twelfth hour the credit of the work of those who worked during the eleven hours. Take the constitution of the Board. Take Father Denis O'Hara and Dr. O'Donnell—two members of the Board. These two men in themselves with Mr. Henry Doran and with the assistance they would get from men in the country would in themselves be able to settle the entire question. It is necessary to have men who enjoy the confidence of the people—men who would put their foot down if there is anything in the nature of trouble or friction, as unquestionably there might be. The stronger you make the Board in that direction the better.

26254. And, speaking for the United Irish League, you tell the Commission that it is the strong view of that body that the Congested Districts Board should be preserved?—Yes, decidedly.

26255. Mr. BRYCE.—You are aware your scheme would demand a great deal more constant attention upon the part of the Board than is at present given, speaking generally, by members of the Board?—Yes.

26256. And it might not be easy to find a number of men willing to give up that large amount of time which you demand?—Willing to give one day a week—that would be quite sufficient.

26257. Everything depends upon your *personnel*. At this moment you have extremely good men like Dr. O'Donnell and Father O'Hara, and you have a remarkably good official like Mr. Doran, but that condition may not always exist?—It might not, but we have plenty of the same class of men in reserve.

26258. Yes, but you have got to find them, and you have got this additional difficulty, if you are going to have a larger measure and larger sums of money than ever before, Parliament might say, "We cannot trust to any irresponsible body which, after all, depends for the excellence of its work upon having certain men upon it, and which might cease to be constituted in that way. We must have some permanent body under State control in a more definite manner than that in which the Congested Districts Board already exists." Supposing, Mr. Fitzgibbon, we be agreed about the desirability of retaining the Congested Districts Board, there would still remain the difficulty that it might be impossible to persuade the Houses of Parliament to allow this, or to allow these great powers to be possessed by an irresponsible body?—May I answer that question by asking another? Do you think that anything has happened in relation to the transactions of the Congested Districts Board since its formation up to the present which would justify Parliament in coming to such a conclusion? You are going to deal now with a knotty question, and as I said in the beginning if we are not to be allowed to carve the joint in our own method——

26259. Yes, but the trouble is if the joint is cut away and wasted, and something more might have to be done before we get to the ideal state of affairs that many of us would like to see. Before we get to that state of affairs the joint might be wasted, and the point for the Commission is to recommend or suggest what they think is best to prevent that?—Well, you have my view that the Congested Districts Board ought to be maintained if you want the Connaught question properly settled. As to speaking about Father O'Hara and Dr. O'Donnell, why I could name this moment a dozen people who would be equally

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anxious to settle this question and who are thoroughly acquainted with it. As I said in the beginning, Mr. Bryce, I have been through the whole campaign, and I know exactly the feelings of the people, their interests and wants. Sir Antony MacDonnell said to me upon one occasion that it was a very difficult question to settle. Why is it difficult? Because he had Indian methods in his head at the same time, but if Irish methods are adopted it is quite easy to settle the question. If English methods are going to be brought in you are simply doing the same as you have done with all legislation in Ireland; you will simply make a hash of the whole thing

26260. Mr. BRYCE.—That is following out your former simile. You don't want the joint to be made into a hash?—No. It is simply a question of Home Rule. It is the same question. You may as well say when you bring in your measure after Easter—Parliament may as well say, "We are now going to give you this measure. How are you going to work it?" There is no difficulty in this question. Mr. Conor O'Kelly and Mr. Kavanagh understand the question; they are Irishmen. You are just as well disposed, Mr. Bryce, as Mr. Kavanagh is, but you are a Scotchman. Sir John Colomb is——

26261. Mr. KAVANAGH.—Are you satisfied with the present arrangement between the Agricultural Department and the Congested Districts Board?—No. I think the Agricultural Department ought to be always in evidence not alone in Connaught but in every other province at the initial stages of the new homes——

26262. Yes, but all that work which was being done by the Congested Districts Board has been handed over now to the Agricultural Department, I want your opinion as to which Board did that work best?—I think the Agricultural Board has not engaged exactly in the same class of work, but the Agricultural Department ought to have a certain amount of work laid out for itself, and I would not give to the Congested Districts Board the work that ought properly belong to the Department.

26263. Then you are satisfied with the Agricultural Department's work at the present moment?—I am not satisfied with the sentiment of the members of that Department, but that is a matter beside the question. I am in favour of the principle of the Department. It is only a question of Sir Horace Plunkett being a little thin-skinned and sensitive, and of Professor Campbell saying things incautiously that he might have kept in Professor Campbell is a Scotchman and does not understand the Irish exactly.

26264. Your statement about the Department would apply to the whole of Ireland?—I consider that the Department ought to be in evidence at the initial stages of building holdings, and these new holdings to a great extent ought to be made little model farms, and the new tenants ought to more or less enter into an undertaking that they would till a certain portion of their holdings

26265 Sir JOHN COLOMB.—You spoke of Scotchmen. Is not Mr. Doran himself the son of a Scotchman?—He may be, but he has spent his lifetime in Ireland I only wish that every Scotchman would know the Irish question as well.

26266 CHAIRMAN.—We will leave it there. There is only one thing I should like to point out. You want to say something about Town Tenants?—Yes; that is, the desirability of assisting Town Tenants closely connected with rural districts, to enable them to acquire their houses and plots.

26267. We have no evidence from anybody as far as I can make out upon this matter in regard to Town Tenants?—It is in connection with the congested districts

26268. Yes, but we have nothing to do with urban districts?—But one hangs so much on the other. If you take a town of ten or twelve hundred population. I think the Town Tenants were dealt with in evidence by Mr Bailey.

26269. CHAIRMAN.—I don't think we can make any recommendation about Town Tenants?—There was evidence about them.

26270. It is true that Mr. Bailey did refer to them in connection with——*Witness.*—What I wish simply to place on record is that the tenants in congested districts ought as far as small towns are concerned to be considered with the occupiers——

26272. CHAIRMAN.—To get State advances?—To get as much encouragement as possible, the State taking the precaution that their advances are properly secured.

26273. We know that view is largely held, but the settlement of it does not rest with us, and we cannot make any recommendation. Therefore I don't think we ought to go into it. Will you now deal with the causes why people do not wish to remove?—One of the causes why migrants are reluctant to remove from those districts where there is plenty of fuel is that in other districts fuel is scarce. To meet that I suggest peat industries should be established with a view to having the fuel compressed in such a way that the tenant could convey in one load as much fuel as he otherwise would in five loads if the peat is not compressed.

26275. I do not follow you there. Do you mean to say you want peat compressed merely for Irish purposes?—No. I want a regular peat industry, such as exists in some places. I spoke to Mr. Henry Doran about it on one occasion, and he said it was occupying the attention of the Congested Districts Board, and that they were simply waiting for the latest invention.

26276. Quite so. Then what you are referring to are merely attempts which have been made and which are still being made to turn peat into fuel and make bricquettes of it?—Yes.

26277. You say an industry should be started for this?—I say the Congested Districts Board ought to do it in the congested districts

26278. But nobody knows yet how to do it?—This is merely a suggestion of mine, but it is working in some parts.

26279 Experiments are being made?—I understand it is working in Maryborough at present.

26280. They are making experiments?—Not experiments.

26281. Mr. O'KELLY.—Has it not passed from the experimental stage?—So I understand.

26282. CHAIRMAN.—We need not dwell on whether it is experimental or whether it is not. At any rate you agree it would not be wise for the Congested Districts Board to sink money in an industry of this kind until it can be clearly shown that the means have been discovered for doing the work?—I understand the means have been discovered, and that the work is being done at the present moment. Another objection to removing is the high price of land in the non-congested districts—the rents are so much over the rents they have been paying. The smaller the amount of land the new tenant gives up the higher the rent of the new holding. That is the way it works out. The surrender value of the old holding is quite small.

26283. Mr. O'KELLY.—Before we pass from the peat question, I understand you to say, when you speak of having peat compressed, that you do not desire to have an industry established, but merely that the Congested Districts Board should spend money to enable the people to take home fuel?—That is not what is in my mind. I would suggest that in order to provide people with fuel at a low price the industry ought to be carried out in all its details.

26284 Your view is that instead of giving all the turbary to the tenants with a transfer of land you would—or the Congested Districts Board should—retain the turbary and work the industry?—They could retain a certain amount of the turbary, provided there was sufficient turbary for the people who remained.

26285. But would you not provide the necessary measures for compressing peat on the turbary belonging to the people themselves?—Of course they could have it either way. Take the case of a man who has five miles to go for turbary. Two loads a day is all he would be able to take. It would take him two and a-half days to bring five loads, whereas if the peat was compressed he would be able to take in one load what he is now taking two and a half days to cart.

26286 Then you have two objects in view in connection with the peat industry. The first object is to economise the time of the farmer?—Yes.

26287. You would have the peat compressed for his own use?—Yes.

26288 And if you had a surplus of turbary after the tenant had been provided for you would have an industry started to supply compressed peat to estates on which there is no turbary and which might be also in the possession of the Congested Districts Board?—There is plenty of untenanted land in Roscommon where there is no peat, and you have to meet their requirements, and the only way of meeting their requirements economically is, in my opinion, to start this peat industry.

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26289. It is a most important point. Take the case of an estate that has been sold and upon which you have a great deal of turbary. You have more turbary on that estate than is needed for the tenants on it. What do you propose doing with the surplus. Would you have a profit-making industry started by the Congested Districts Board for the compressing of the surplus peat?—Certainly.

26290. Would you utilise that surplus turbary for the accommodation of people on the other estates. You will not have a sufficient surplus to accommodate the people on the neighbouring estates if you have an independent industry started for the turning out of the compressed peat to which you refer?—Oh, yes. I would have an industry for the general use of the districts most in need, and for anyone who would pay the price. I think it is sold at about 10s a ton. Of course it would be an industry in itself, and a paying industry, and it would be supplying a want where fuel is scarce.

26291. Sir Francis Mowatt.—You are not contemplating an export trade in peat?—Not at all. For local purposes. You might export the rest of it.

26292. Do you not think tenants on neighbouring properties would like to have definitely attached to their holdings any surplus they could get hold of?—That is rather a narrow view to take. When you give people sufficient there is no reason they should expect to get what they never had.

26293. When you speak about an industry being established where there is a surplus of turbary, do you contemplate that industry being run by the Congested Districts Board for the purpose of turning out all those things that now may be made out of compressed peat?—I do, and I think it would be giving employment in a district where no other employment could be had.

26294. It would serve two useful purposes—one the supplying of fuel where it would be scarce, and the other the giving of employment to people in an industry not previously existing?—Yes.

26295. And you think you would have a sufficient amount of turf left over for the industry after you had accommodated the needs and requirements of the tenants on the various estates in the matter of fuel?—In some places. Of course, they vary. I understand that at the present moment the Congested Districts Board are buying up all the bogs they can.

26296. Sir Francis Mowatt.—What you rather contemplate is that the Congested Districts Board should carry on any industry that can be profitably carried on by it?—Well, they ought to initiate industries for the benefit of the people in the places and in the position I have described if there would not be much risk of loss

26297. Mr. O'Kelly.—To what purpose, then, would you devote the profit, if any, accruing from the success of an industry of that kind?—It could be devoted to several purposes. There are plenty other industries that might be started in the locality. Of course these are matters of detail.

26298. Do you think profits accruing in that way ought to be credited to the general fund of the Congested Districts Board, or ought to be earmarked for local expenditure?—For local expenditure of course, if there is a necessity for local expenditure. It would be a supplement to the works out of the scheme and would be dealt with by the members of the Board.

26299. Sir John Colomb.—Am I right in drawing this inference from your examination, that you contemplate there are areas quite suitable in all respects for bringing migrants to, but which present the obstacle of not having turf conveniently near?—Yes.

26300. Therefore, in order to make it practically possible to utilise those areas so removed from the turf bogs, for the purposes of migration you propose to establish a peat compressing industry wherever you can get peat near to those areas?—That is what I suggest.

26301. Therefore you regard it as of considerable importance that any area taken up for the purpose of putting migrants on should have turbary convenient?—No, I do not say it should be an obstacle to putting people on the land. In the report I read to-day of my evidence before a Commission eleven years ago I dealt with that matter. Lord Dudley did not think it necessary for me to furnish that report, but it is most important. When I was trying to get the Congested Districts Board to purchase an estate of over 2,000 acres their Inspector went down and at the last moment I got an intimation by wire from the Congested Districts Board saying that on account of turbary not being sufficiently near they did not consider it desirable to purchase this estate. At the same time I remarked in my evidence that all the Congested Districts Board had to do was just to see a number of the small tenant farmers' holdings from eight to ten acres adjoining this large and extensive estate, who were comparatively comfortable, although they had to travel four or five miles for the turbary, and their comfort was due to the fact that they occupied land entirely above the average of the same sized holdings in the congested districts.

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26302. Then you regard an area that has a turf bog five miles off quite suitable for migration?—I have mentioned this as an objection. A great many people have the greatest reluctance to leave land when they have turbary just at their door and go to land if they find they will have to go four or five miles for turbary. I say it is an obstacle in the way, and one of the causes that prevent desirable tenants removing from the congested districts on to other land, particularly the strong tenants we are anxious to get to leave. The strong tenant generally consumes more peat, and he looks into all the circumstances. In the congested districts he has a good-sized holding, and turbary at his door, and he has good accommodation. We are anxious to induce that man to go on to the untenanted land in order that the holding he occupies may be divided up amongst small tenants. If the difficulty I refer to was removed there would be an inducement to the strong tenants to go on to untenanted land.

26303. Take two areas equally suitable in every way for migration. Suppose one of the areas has a turf bog close to it, and the other area is some miles away from a turf bog, do you consider the price of the land ought to be lowest on the area distant from the turf?—Well, the value of the land is practically the same for one purpose. It is not as valuable to the small farmer, but if you work it as a grazing farm there is no difference. The man with grass land does not want the turf.

26304. Mr. Kavanagh.—In carrying out a scheme of migration do you think there would be any general willingness on the part of the people to migrate?—I think that feeling is growing very much. It is now a matter for the Board. Mr. Doran will tell you the same thing. They are keeping the people back in order that they may have the pick of the tenants.

26305. What I mean is do you find on the part of the people themselves an unwillingness to migrate?—They have to be willing themselves. They will not be compelled to move. I would be no advocate for compulsion in that direction.

26306. You would not be in favour of compulsory migration?—Oh, no.

26307. It is contemplated, I believe, in the Scottish Act now before Parliament, but you would not be in favour of carrying it out in Ireland?—No. The men must must be willing themselves.

26308. Do you think there is great unwillingness on the part of the people to migrate?—It is borne out by Mr. Doran's report.

26309. To remove to any distance?—Well, of course they are all looking out for the nearest point to that they are proposing to leave.

26310. Chairman.—There is one point that has always appeared to me in this question very material, and I should very much like to have your view upon it, as you are a local man of great experience. Supposing a good migrant—one you would consider suitable—was brought into Roscommon and put upon a thirty-acre farm there—a farm carved out of the grass land—how would you propose that man should proceed to carry on his farm What idea have you in your mind as to the way in which he could make it a profit?—I will be very glad to give you my views. They are not so much my views as the views of men who have a better experience of agriculture The more tillage the man could do the better the improvement of the land. As I mentioned at the beginning of my evidence, great tracts of the land of Roscommon have not been broken for 100 years. Some of the large graziers told me that the feeding qualities of the land were under 30 per cent. of what they were thirty years ago.

26311. But when you speak of tillage you have in your mind the growing of foodstuffs for feeding cattle?—Yes.

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26312. By tillage you would not mean he would grow crops for the local markets, but roots and things of that kind for feeding cattle?—I will give you my idea of how it would work on a thirty-acre farm. I would till all I possibly could I would plough as much of the land as I possibly could—ten acres if possible. It might be only five acres at the start I would not bring the produce to the market, but I would consume it on the farm in feeding cattle, pigs, fowls, etc., and utilise it as much as I could. I would bring to the mill my own corn and have it ground to feed the family at home as far as I possibly could I would have for my stock and family as much as I possibly could out of the land, so that I should have to visit the shop as little as possible. I could pick out in my county all the people that were in their youth fed on oatmeal instead of the dietary of the present day. You can pick them out in the market and elsewhere, and I feel this is an important matter which requires the attention of the Department or whatever other Board is created

26313. In order to carry out that plan of yours what crops would have to be grown on such a holding?—Potatoes, turnips, mangold.

26313a. There are some lands which would suit mangold, some would suit turnips, and some oats, and you would have wheat where the land would be suitable?—Yes

26314. What would they use the wheat for?—For flour.

26315. For consumption by the family?—Yes. There are some farmers in the County Roscommon who grow wheat. They are extremely few, but there is one man I met, who would have just the size of holding you speak of. We entered into conversation, and he just gave me details of his system. His farm is worked practically on the lines I have laid down. He can be seen if you go to Roscommon. He has reared a fine family—none better in the County Roscommon—and he is making headway.

26316. Anything else You have given us potatoes, turnips, mangolds, oats, and wheat?—Well, perhaps there might be fruit

26317. Mr. O'Kelly.—Do you know anything about tobacco?—No. I am not a smoker, to start with.

26318. Chairman.—You would not suggest that they should grow tobacco for their own use?—No.

26319. The crops you say the farmers should grow are crops for their own use or for the use of their horses and cattle?—Yes

26320. Sir Francis Mowatt.—Some of them do find a use for barley?—Oh, yes. Barley and oats and wheat. They very soon find out what is useful, but barley is not a crop of much use in Roscommon. Barley is generally grown near where distilleries exist

26321. Chairman.—You would divide these crops generally speaking, into three classes. Turnips and mangolds are a class by themselves. You can also class oats, wheat, barley, and rye as cereal crops?—Yes.

26322. And potatoes are classed by themselves?—Yes.

26323. Will you tell me, just taking these crops roughly as I have classified them, where you think the ordinary man would fail in carrying on farming on good land if that was all he had to do—to grow these crops. Mention which of these crops that you have enumerated, you think the Connemara man would fail in?—I do not think he would fail in any. He might be a very successful man. I know very little of the Connemara country except what I know from the evidence of those who do.

26324. But you have told us that in your opinion you should not touch the Connemara man?—So I do, and I have borrowed my information from those who know them intimately.

26325. Where you get your information from is another matter. But you have told us you are of opinion those Connemara men should not be touched, because their agricultural knowledge is not sufficient. If those are the crops which, according to you, should be grown on an ideal farm in Roscommon, why would the Connemara man be unable to satisfy your ideal? Why would his agricultural knowledge fail when he comes to plant these crops?—I could not tell you.

26326. Then why do you say you should not touch him?—Because I base my assertion on the evidence of those who know them intimately.

26327 Then you fall back on something that is hearsay?—These are matters of detail.

26328. Not at all They are not matters of detail. If we have got to go around to South Connemara, where the congestion and poverty is very great, and we have got to say to those people—"We are not going to touch you; we will have to allow you to remain in your misery because your agricultural knowledge is insufficient"—that is not a matter of detail. It is a matter of very vital importance?—Excuse me; you will not be dealing with the question. It is for Irishmen to deal with.

26329 I know Connemara better than you do, judging by what you say?—Yes, in a motor car. You were there in a motor, but you do not know Irishmen better

26330. Have you ever been to Connemara in your life?—Do you know where Kylemore Castle is, at Leenane—Mitchell Henry's place. Now, Lord Dudley——

26331. Will you tell me why you think Connemara men would not be able to grow these things?—I have given you my answer.

26332. No, you have not You have told me some friend of yours has told you he thinks so?—No, not a friend. I have read the evidence of the gentlemen that came before you at this Commission.

26333 Which gentleman?—Well, some gentleman connected with the Congested Districts Board.

26334. And what did he say?—Oh, that fishing and all that was more desirable, and that it could be supplemented by small holdings I am not going to tread on ground that I am not acquainted with.

26335. And therefore it is because you say that you are unacquainted with the people of Connemara, that you are prepared to say that they should not be migrated?—I say if we have more desirable men they should be taken

26336. But how do you know they are not desirable?—I say that if we have more desirable men, the Connemara men should not be touched.

26337. Will you modify your original statement so far as Connemara is concerned, by saying that if it is possible to find out in Connemara men who, one would hope, would put as much industry and intelligence into farming in Roscommon as you can find in any ordinary part, they ought to be removed?—To where?

26338. To Roscommon if necessary?—If necessary, and if we have a part of the joint to spare, by all means we will help them.

26339. And if there is grass land available—which is what you mean—available in County Roscommon, that there is no reason why a Connemara man should not be moved there if he be a deserving man?—All things being equal.

26340. I do not know what you mean by "all things being equal"?—I gave it in my evidence the first day, the class of man I think would be successful. We are quite anxious to make our scheme a success, but we do not want to put men on the land who will not be able to work the land. We want a desirable class of men. We have them among ourselves We know them, and I maintain it is a matter for ourselves—not a matter for any gentlemen outside I am sorry, Lord Dudley, you were not a little longer in Ireland, you would know us better.

26341. If the desirable congeste in Roscommon are satisfied, then you have no objection to the congest from Connemara being brought in to fill up the available land?—No objection if the Roscommon men are suplied.

26342 If the Roscommon congests are supplied?—You mean those from——

26343 From the congested districts of Roscommon who have holdings now that are uneconomic. If those men are supplied with better holdings, are you then in favour of bringing in desirable congests from Connemara?—Exactly; desirable congests.

26344. By desirable I mean men who are industrious and thrifty and sober, and who have as much agricultural knowledge as the local conditions there would enable them to acquire. Would you be in favour of moving men of that kind to occupy the balance of the land in Roscommon?—Personally I would have no objection.

26345. And you are prepared to see men of that class from Connemara satisfied before you begin to think about the sons of tenants in Roscommon?—No.

26346 Mr. O'Kelly.—Of course, before this inquiry you represent Connemara as well as Roscommon?—Certainly.

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26347. Do I understand you to say that you would not give the preference to congests from Connemara over the sons of congests in Roscommon?—I would not.

26348. Then I want to ask this question. Of course, we are dealing, as you know, with plans for the removal of congestion?—Yes

26349. Would not the effect of what you say be to stereotype for all time congestion in Connemara?—It might not. I say that in the first place, if it exists, the resources of each county——

26350. Let me put it to you in another way. Suppose that you had removed congestion—because, after all, it is with congestion the Congested Districts Board have to deal, and you are in favour of maintaining the Congested Districts Board?—Yes, with further powers added.

26351. Now, suppose that in County Roscommon you had put an end to uneconomic holdings by their enlargement?—Yes.

26352. And that you had a surplus of land left in Roscommon after doing so. Do I take you to say that you object to any migrants from County Mayo being brought to the surplus grass lands in County Roscommon unless and until you had provided land for the sons of tenants in Roscommon?—A certain class of tenants that I mentioned on the first day of my evidence—the sons of men who would facilitate migration by giving up or inducing their fathers to give up their old holdings

26353. Let me take an uneconomic holding in Roscommon. That uneconomic holding is made economic. The son of the owner of that economic holding is a good worker. You have a congest in Mayo who would answer the same description of an industrious man. Do I understand you to say, that all things being equal, you would object to the migration of this congest from Mayo, urging that the land to which he was to be migrated should be given to the son of the owner of the economic holding?—I would not object to that

26354. Do you mean to say you would approve of it?

Mr. Kavanagh.—Do you think it possible to lay down hard and fast rules on this question?—Certainly not.

26355. Would you rather leave it to the Board, or whatever authority has to carry out this scheme?—Yes, that is my point. I will give my views of course at the end of my evidence on this question if I am permitted to do so.

26356 Chairman.—I think you want to say something now about the necessity for the inspection of estates?

Sir Francis Mowatt.—I think you have dealt with that?—Quite so.

26358. Chairman.—Then I think you have told us that two out of every five holdings that are at present uneconomic could be made economic by a system of drainage and reclamation?—Yes, that is so. In my evidence eleven years ago I stated the same thing.

26359. Then your next point is about the re-afforestation of land?—Yes, that is a matter that I wish to dwell on. In some districts there will be found lots of land that is really suited for no other purpose.

26360. Are they used for anything now?—Well, there are some of them partly grazed over. They are all very poor quality, and wherever such could not be made use of for the purpose of relieving congestion I think they would suit two purposes—that of giving employment in the first instance and changing the face of the country, and perhaps the climate as well. I think it most desirable that these lots should be reserved for the purpose I mention. They are to be found here and there wherever they would be available It is just a way of disposing of unreclaimed land, or land of such an inferior quality as would not be useful for tillage. There is what we call the moor. That is all useful for tillage—what we call the moor or bog. You can grow crops on that by reclamation, when drained and reclaimed, and very useful crops, and good crops from time to time they are if they are minded. Such as potatoes. But there is another class of land on which there is not much soil, and of such a nature that really science nearly fails to make it crop-producing

26361. Sir Francis Mowatt.—And upon that you would grow trees?—Yes, if it was suitable. I am not an agriculturist. I am simply a business man, and I do not want to enter on subjects with which I am not acquainted.

26362 Do you know any instances in which it has been found possible to plant on poor land of that sort?—Well, I do not, but Professor Campbell, in speaking to me, gave me his views when I was speaking to him very recently. I do not know whether he gave the same views in his evidence before the Commission or not

26363. Mr. O'Kelly.—I do not think any attempts have been made on a large scale. Did you hear of a case in which an experiment was made in Connemara?—No.

Chairman.—At Knockboy.

26364. Mr. O'Kelly.—We saw it when we were over there. I do not think we have had any other experiments made?—Not that I know of.

26365. Sir John Colomb.—You say this land is possible to graze over in places? The land you have got in your mind?—Yes, and it is let at a very low rent.

26366. Therefore, to carry out the planting of such areas would involve abolishing those rights exercised now by tenants?—Oh, no. I am speaking now of large tracts of land that are in the hands of large graziers, and that are attached to other portions of their farms, and the one portion of the farm might be very useful for tillage, and another portion—this portion that I speak of, would be useful for planting.

26367. Then are we to take your proposal for planting as limited to land held by large graziers, and land that is too bad for anything else but planting?—Quite so.

26368. Do you contemplate interfering for the purpose of re-afforestation with land in the hands of tenants? I will not say interfering, but the planting you advocate being done in the national interest is confined to parts of areas held by graziers?—Yes.

26369. But not on land held and grazed over by small tenants?—No. Allow me to qualify my remark by saying that there are very large tracts of land of that kind that I speak of that have already been purchased by the Estates Commissioners or the Congested Districts Board. In fact I have in my mind at this moment a farm adjoining Ballyglass, in the County Roscommon, that the Board purchased, and adjoining that farm is a large area of land of this description, that I know the owner or man in occupation would be glad to sell the Board, or indeed delighted to sell to any Board.

26370. For the purpose of planting?—For any purpose they wish, because it is practically of no use to him, and it would be useful for planting.

26371. Taking that very land—that is the sort of land you suggest they should plant?—Yes.

26372. If it is good for planting why does the owner not plant it?—Well, you would have to ask himself that question.

26373. Don't you think a man would like to make as much money as he can by his land? Are you aware that any tenant of that kind can borrow money from the Board of Works at a cheap rate for the purpose of planting?—Yes.

26374. And therefore he has not to put his hand into his own pocket?—He is one of the men who has too much land for other purposes, and he could well afford to part with it.

26375 Chairman.—Is there any other point that you wish to touch upon?—Nothing. When you have done your questions, sir, tell me. I just want to give you a little review of my evidence.

26376. Sir John Colomb.—I just want to get one figure before you begin, if you can give it to me. You gave us the history of a farm that was put up for auction and you gave us some figures. I do not know whether you mentioned it, but I find I did not take it down. What was the rent of the farm when it was bought?—It must have been about £100 a year, because, just calculating what the annuity was, it was about £80.

26377. You think it was, but you are not sure?—Those are about the figures. I could send you the exact figures.

26378. Thank you; it was merely to complete the set of figures I wanted it?—Very well, I will ascertain and send them to you.

26379. Chairman.—Well, we are all done now, Mr. Fitzgibbon. It is now half-past three; we rise at four, and you have half an hour to review the situation?—Thank you, it is more than I expected.

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Mr. John Fitzgibbon.

Of course, Lord Dudley, you will understand I am here in the double capacity of a witness and an advocate, and I do not know whether you will permit a person to appear before this Commission in that latter capacity. But I am sure you have a good heart, and you are not going to shut me up, as the saying is, without grave reason. I have just a quotation here that I wish to give. It is from Mr. Michael Davitt. I do not want in any way to place myself on a parallel with the man who suffered so much for his country, and that did so much for it, but, comparing small things with great, I have also suffered a little for the faith that is in me. I was just four times in His Majesty's chatesu in the West of Ireland, and enjoyed the plank bed on three different occasions.

26380. The fourth time it was a better bed?—The fourth time poor old O'Connor Morris took pity on me, and I can say, in the words of Mr Davitt:—"I have suffered by their power, and, as I believe, by their ignorance and their prejudice, but there is no bitterness in my heart to-day towards the English people. The doctrine of the land for the people is a universal gospel, and in its triumph is involved the social regeneration of England as clearly as the social regeneration of Ireland." Passing from that I will quote Alison, who says:—"Combinations are the natural resource of the weak against the strong, and the poor against the rich, of the oppressed against the oppressor. As such, they have been known in all countries and in all ages, and have often rendered important services to society." I came before this Commission in the capacity that you are aware of for the purpose of giving the benefit of my experience of the necessities of our people, and placing before you as well as I could their wants and requirements, and for your patience in hearing me I beg to give you my most sincere thanks. I trust that the object of the Commission is finally to settle that question, and I hope that that was the motive that moved those who are largely instrumental in your appointment. There is no difficulty in it. I said so on one occasion to Sir Antony MacDonnell when he was trying to take a bit out of Roscommon and give it to Mayo. I showed him exactly where he was going and that he was creating trouble, because he was simply going to plant one grazier in Roscommon in place of a man whose land we had a good deal of difficulty in getting. It was robbing Peter to pay Paul, just putting back the same class of men into the holding. When I brought this matter under Sir Antony's notice he said: "It is a most difficult question to settle." My reply to him at the time was: "Not, Sir Antony, to those who know." I need not tell you I have the highest opinion of Sir Antony. I know that he is a man after my own heart, if he would not feel hurt by comparing such an insignificant creature with such a great man. But I admire his heart. I know he is disposed to deal justly between all sections in Ireland; and the greatest mistake that ever those who are in opposite camps will make is to try to get rid of Sir Antony, because I believe myself that his conscience is at rest when he judges, but he simply suffers from the disadvantage that he was forty years away, and that he often looks at things in Ireland through Indian glasses. Now, our country is a small one. India is a great empire, and I can gather from the remarks put to witnesses during this Commission by Sir Antony that he is most anxious to have this question settled quickly. I think that is the object in getting the Congested Districts Board and the Estates Commissioners to amalgamate. I think his motive is to get into the work quickly, and he thinks by these methods that he will do so. Of course I give him credit for his good intentions. I know that his ambition now is to settle Ireland after settling India. But I say that if we are to settle it well we must proceed on very safe foundations. You cannot settle this question in the West in a hurry. It is a question that requires the greatest care and the greatest attention. You want sympathetic officials. It will not do to have our people roughly spoken to. You have to have men dealing with them who are well acquainted with their sentiments and feelings, and will not hurt those feelings except when there is a very dire necessity. What the Congested Districts Board have done they have done well; and I have no doubt when you visit the West of Ireland that you will bear me out in what I have said. The Estates Commissioners have gone over very much more ground, but their work is entirely different. It is simply lockspitting, and telling the people: "Go on; there is your holding for you; put up the fences." There is no difficulty in that. The men can do it. It is a simple question. But the great difficulty arises when you have to go to an estate like the De Freyne estate or the Dillon estate, or the Murphy estate. A number of the holdings are held on what they call the rundale system—that is one field here belonging to a man and the next field belonging to a neighbour, and the size of that field may not be more than half a rood in extent. Then in comes another neighbour with another field, and so on. The work of the Board is to rearrange all that, and try to place the holdings together, and have them compact, and then the improvement of the houses, the making of new roads, the drainage of rivers and other improvements; in fact everything that is necessary, or at all events everything that will enable the tenant himself to make the improvements. Because, no matter how industrious the man is who finds he has a holding, and that there is not a main system of drainage that will enable him to drain his holding, that man is hampered. He cannot employ his labour profitably on the holding until he gets a way for letting go the water. That is the class of work the Congested Districts Board is engaged on; and of course it may be said by those who are trying to influence you that if both the Departments were rolled into one, that work could be carried on by the Estates Commissioners when they have the staff of the Congested Board. We have heard in the Gospel—it is as well to bring it in—of the men who worked the eleven hours of the day and of the men who came in and worked the twelfth, and who were paid the same way as those who worked the eleven hours. But we have not heard in the Gospel that the men who worked the eleven hours were told: "Go away; you are not wanted; we want the men who just worked the one hour; they are the men for us." I don't think that has been mentioned in the Gospel. I think, if it were, the men who worked the eleven hours would have a double grievance. Here is a Board, the Congested Districts Board, founded a number of years ago and admirably worked. I think if the Board was done away with, there are some members of the Board who would die the year after. They would simply have lost their occupation, they are so engrossed in it; they are so interested in it. It is only practically in its initial stages, but it is an evidence of what can be done by any Board in Ireland having the confidence of the people. Who are they? You have had the privilege, if I may so speak, of seeing Dr. O'Donnell during this Commission. You have enjoyed the information he was able to give you, I am sure. But you did not know the greater worker still; that is Father Denis O'Hara, whose acquaintance I am sure you will make when you go to the West. These two men in themselves were sufficient to inspire the people with confidence They knew very well, when they surrendered their holdings or did anything else that the Board wished, that they had men on the Board who would not allow any wrong to be done to them. These are the men who when on a board will make that board workable. If you take the Estates Commissioners, you will pardon me, Lord Dudley, if I speak plainly; it is better for me to speak my mind by saying what I think, and what I think is that the object of this Commission, although the people of Ireland, mind you, when they heard first it was appointed were under the impression that it was appointed for the one particular object, that of settling the question. And do not for one moment imagine that the people are anxious always to have this boiling agitation. They are anxious to settle down, everyone of them; they want to go to business. But, reviewing the evidence and the questions put to the several witnesses who came up, it was so plain that the most stupid person could see that one of the great objects of the Commission, and the undercurrent running through it all the time, was simply the amalgamation of those two departments. By all means have co-ordination. It is necessary, as I point out, to have all these gentlemen sitting occasionally at the same table discussing the business of each of these departments as would the directors of any great company; but it is not desirable to have them criticising each other's work; it is not desirable to have one overlapping the other; but the Congested Districts Board with all the powers of the Estates Commissioners, and *vice versa*, should deal

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with different parts of the country in a wholesome rivalry, each anxious to see which of them would do the work of relieving congestion the better. I think that is the sensible way of looking at it. I say now and here, representing the organisation that I do, that the upsetting of the Board from the lines it has been running on will be done against the wish of the people for whom it was intended. I am just anxious to dwell on one point more. I say that the three joints are necessary. I know very well what will happen What will happen is this: "One joint at a time; let us see how far that will go." That will be the suggestion. "Better be cautious, if you go into the second joint there will be an awful row, but if you go into the third it will be hell's fire." That is exactly what will occur. If you give the one and keep the second what will happen is this—trouble still in Ireland; wants unsatisfied of people who see that the one joint is not able to supply everybody who wishes a bit; and the result will be what has happened on the Dillon Estate, that the one set of congests will be helped and another will be left unhelped. Take the young men now—of course Lord Dudley has kept me very close to that point—I say above board that my great desire—far more important to Ireland from a national point of view—is the keeping in the country of the young men. I do not want to go away saying this was done under false pretences. I say when you provide a young man with a holding you provide for a young woman also And now let me take you to the railway stations in my cooler moments. I was rather hot when speaking to-day, for which I apologise to the Commission, but it is my nature. and other men err in the same direction Of course. two wrongs do not make a right, but, however, I would rather I could have remained cooler, but you may take it from me when I was going all over in my mind coming to this Commission to-day the scenes that were happening at about the same hour at the different railway stations from Westport to Athlone, and from Athlone to Galway, I can assure you I failed to be a man. When I thought of the father and the mother parting with children never to see them again I could not for a moment retain my feelings. You have only to witness them when the coldest heart has to be moved There is no hope in many cases of the parent and the child ever meeting again. The one object and the one thing that has made them feel a little more easy at the present time is that of being able to return soon to their own country. I have here a book, written indiscriminately. It is worth the while of the Commissioners to run through it. I can lend it to them. It was not intended to be produced at this Commission There are the names of men with from £100 to £200 and £300 and up to £1,000 living abroad who are anxious to return home. There are the names of others, the sons of men living at home who by their thrift and industry have been able to accumulate from £100 to £200; and these are the men we want planted on the land. After witnessing these scenes from my youth, from the time the old mail coach was in existence, and seeing the way the people were accustomed to run for a mile after the coach to say good-bye to those whom they would never meet again, I was moved to take off my coat and do my part in trying to end a system that was producing such lamentable and hateful results. Now, it is a matter for this Commission. Its report may, like that of many other Commissions, be placed on the highest shelf in the House of Commons. But do your duty; place on record what your opinions are as to how this Irish question is to be settled. Do not make up your minds until you have seen for yourselves. You have now the opportunity of settling this question finally and satisfactorily; and let your object be not to do away with a Board that has done so much for the bettering of the people. The only cause for regret is that they had not very much greater powers, that they had not very much more money at their disposal. All that is wanted are those two elements. You have a man at the helm there, Mr Henry Doran a man that knows what he is at and knows how to settle the question, tho thing the members of this Commission want to know from me—how this, that, and the other can be done. And now that will be one of the pretexts. "We had Fitzgibbon up, and what he said was he wants some of this land for young men, and that being so the number 1 joint will supply the wants of all the congests, and you don't want number 2 and number 3, and consequently we can leave Lord De Freyne, Lord Crofton, The O'Conor Don and men of that class alone for some time. These men will give up all hope of their ever getting any holding, and then we will have them for the army or the police or for some other purpose that we require." That is the game from a British point of view But if you want to settle the question from an Irish point of view you will plant the people on the soil. Now, gentlemen, I have done. My only regret in conclusion is that Lord Dudley was not longer in Ireland. The Irish people have a great grah for him. They look upon him as a fine, big-hearted man, who is surrounded by difficulties. Then we have Mr. Birrell, at present, one of the best boys that ever attended the Irish school; and do you know why? Because he has gone over not to teach but to learn Now, gentlemen, I would recommend you when you go to Ireland, just to take a leaf out of his book. Do not go over there to teach us but to learn from us how Ireland ought to be ruled and ought to be managed, and you will all come back more convinced Home Rulers than you are at present.

Mar. 25. 1907.

Mr. John Fitzgibbon.

The Commission adjourned.

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FIFTY-NINTH PUBLIC SITTING.

TUESDAY, MARCH 26TH, 1907,

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; JOHN ANNAN BRYCE, Esq., M.P.; CONOR O'KELLY, Esq., M.P.; WALTER KAVANAGH, Esq., D.L.;

and WALTER CALLAN, Esq., Secretary.

The Right Hon. the Lord CASTLETOWN of Upper Ossory examined.

Mar. 26, 1907.

The Right Hon. the Lord Castletown.

26381. CHAIRMAN.—Lord Castletown, I think you would like to give the Commission the benefit of your views on afforestation?—Yes. May I just state the reason why I venture to come before the Commission to give any evidence at all. I have come before the Commission to give evidence on two points—first of all, afforestation, and secondly, the housing question and land occupation in congested districts My evidence will be entirely connected with the congested districts, and I should like it clearly understood that nothing that I may say with regard to the congested districts has any reference to any other part of Ireland. I look upon the congested districts which I have been in during a great part of my life —I was brought up in one part of them—as being as different from the rest of Ireland as, we will say, parts of the Hebrides, and parts of the West Coast of Scotland are from Middlesex. My evidence, such as it will be, will be to give you, as far as I am able, as to what I consider the practical work that can be done. It will be in no sense political or partisan, and I have no intention of talking about any board or any officials, or any other persons connected with the country, my intention being just to give you, so far as I share it, the practical views of men of ripe information who have studied the question for a long time. I may venture to say that I was the first person that suggested the actual creation of a Congested Districts Board. I wrote to Mr. Goschen, as he was in those days, I think in 1886 or somewhere about then. I have got the letter to him suggesting the formation of a Congested Districts Board at that time. I got a number of replies from him. He said my idea was a Utopian one, and absolutely impossible, but I tried to press it, and eventually brought the whole question before the proper quarter, and, I am glad to say, that within about twelve months the suggestions to a large extent which I had formulated were utilised and became part of the Land Act and part of the Congested Districts system which is now in operation.

26382. Sir FRANCIS MOWATT.—Of what year are you speaking?—I think it was 1886 or later. There were one or two points which unluckily they omitted, and I will refer to them later which, I think, very likely would have cleared the air if they had been dealt with. One of these was the question of compulsion. An idea which I will also bring before your Commission was to work on lines such as have answered in Belgium—what is called the communal system.

26383. Sir FRANCIS MOWATT.—You have mentioned compulsion—compulsion on whom?—On both the landlord and tenant. And I also suggested the way in which they should carry out the work. It should be done in very small areas, because all the areas differ so enormously. Several districts even differ. One may be a fishing district, another an agricultural district, another a migratory district. In some of those districts there are areas hardly suited for planting, but in numbers of these districts there is ample water supply, and also a large population, which has got very little work to do during the winter months. What I would suggest would be that the large areas, which are capable of afforestation, could be used by the people in the off-labour season, that is in October, November, and December, and to do the planting and the ditching and the cutting in the spring There is plenty of water-power in nearly all these districts if it is properly utilised; and where you have large areas of forests, as you have in Norway, Sweden, Germany, and other countries, you will find that local industries grow, the pulp industry and the toy industry and other industries arise where the timber is planted. And the next point is that it is perfectly well known historically that a very large part of Ireland had very good timber upon it a great number of years ago.

26384. CHAIRMAN.—Do you know what sort of timber it had?—It had what is technically known as the pinus sylvestris and the scrub oak, not the very large oak. The pinus sylvestris is the same as you have at present at Bournemouth, what is called the Scotch pine in Scotland. We have a few of them still left in Ireland. If the Commission like I will send a photograph of them.

26385. One point I should like to ascertain—would you proceed on any regular system of planting?—Oh, certainly. Every European country except Great Britain carries out State afforestation with success. The Irish Forestry Society, of which I have the honour to be president, have made a suggestion, and I thoroughly endorse their suggestion, and if the Commission could see its way to adopt it, it would be a very valuable moment to take the opinion and the knowledge of a couple of experts when the Commission is going to the congested districts in Ireland, say two experts who would accompany the Commissioners and point out the possibilities of afforestation. I know two first-class experts who would be perfectly willing to do the work if they were paid only their travelling expenses. They are men of high calibre, and men who take an interest in the matter. Now, I will put in as shortly as I can a few remarks that I have to make.

26386. Sir FRANCIS MOWATT.—In what country have those gentlemen gained their experience?—One man has been in India, Burmah, and has studied for four years in Germany, and is, I think, one of the greatest experts that we have in forestry; and the other man has done all his work in Scotland and in Ireland. There were more than two, but I had two in my mind. There is a draft scheme that has been prepared for re-afforestation in Ireland by the Irish Forestry Society, and which scheme I venture to place before the Commission. I shall first take up very shortly one or two points that bear on what I am saying. The scheme is that owing to the operation of the Land Purchase Act of 1903 it has become imperative that steps should be immediately taken to secure for the purpose of national afforestation some of the waste or barren lands suitable for planting. The opportunities for acquiring such lands are at present unique, but it is obvious that if these opportunities are not availed of while they offer, the difficulty in the future will be almost insurmountable. In the report of the Departmental Committee on British Forestry in 1902, section 10 states that "it will be found in our evidence that experts of high

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authority have recorded the opinion, already expressed in many reliable publications, that the world is rapidly approaching a shortage, if not actual dearth, in its supply of coniferous timber, which constitutes between 80 and 90 per cent. of the total British timber imports. The great area of waste lands in these islands which might be afforested, and with regard to which such valuable evidence has been had, thus becomes a matter of grave national concern. No individual effort is likely to cope with such extensive afforestation not only because British forestry as now practised is inefficient, but because of the capital required, the time during which it remains sunk before producing income, and the lack of all security on private estates for continuous good management from the time that the forest is formed until matured timber is placed upon the market." And, therefore, it infers that the State is the proper person to do it. In section 12 the same report says: "The present condition of existing woodlands has been repeatedly and clearly reviewed by many eminent authorities. It is the common verdict that timber of the kind and quality imported in such large quantities from the Baltic and similar temperate regions can be grown as well here as anywhere."

26387. Sir Francis Mowatt.—Here in England?—Yes. In fact it is a matter of common knowledge that European "red wood" and "white wood," so highly esteemed for agricultural purposes, are yielded by the Scots pine and the spruce, two of the commonest trees of British woodlands. That foreign is so generally preferred to home-grown timber is in no way due to unsuitability of soil or climate, but is entirely due to our neglect of sylvicultural principles. One of the members of our society sent timber from Ireland to the Glasgow Exhibition, and it got the gold medal for the best timber, although it had to compete against Scotch timber.

26388. Do you recollect at all where it was grown?—Grown in Cork, South-West Cork. Then we say: "As a matter of fact, the conditions in England and Scotland, but especially in Ireland, are more favourable to the growth of profitable timber than those of most Continental forests; and plantations which by accident or design have been treated according to the now generally understood Continental system, have yielded timber when mature that could not be excelled in any country in Europe. Professor Schlich, whose reputation as a forest authority is world-wide, says of Great Britain and Ireland in "Forestry in the United Kingdom": "As regards climate there is practically nothing better to be desired so far as the production of timber is concerned." The Irish Forestry Society do not wish to prove wearisome by going over the oft-quoted statistics of timber imports. It will be enough to say that Great Britain and Ireland import more timber than all the rest of Europe put together, and that every year a fast-increasing sum, at present amounting to about £27,000,000, is paid away to other countries for timber and wooden goods which could be equally well produced in Ireland. I will only take some portions out of this draft scheme. The next is that a Forestry Congress was held in January, 1905, at Washington, at which 700 delegates, representing every kind of industry that is dependent directly or indirectly on the forests were present, and at which President Roosevelt, speaking on "The Forest in the Life of a Nation" pointed out that in spite of all the substitution of wood by steel, cement, brick, and stone, which has taken place in recent times, it was nevertheless a fact that the use of wood was not only on the increase, but greatly on the increase, and that if restoration measures on an adequate scale were not immediately undertaken a timber famine was inevitable. "And," he added, "the period of recovery from the injuries which a timber famine would entail would be measured by the slow growth of the trees themselves." That was in America, and I may mention that America has now got a first-class forestry bureau, as it is called, which deals with the whole question. In Germany over £40,000,000 is annually paid in wages to workers in the forest or in the manufactures directly depending on forest produce. A feature of these wood industries is that they provide clean, healthy, constant local work to numbers of women and boys not in crowded mills, but either at home or in local centres in toy-making (for which alone Great Britain pays over £1,000,000 a year), wood-carving, brush-making, basket work and numbers of other such employments which demand considerable artistic skill and ingenuity. As bearing upon the physical and moral advantages of these industries, over the unhealthy crowding of cities, an extract from Consular Reports No. 596 issued by the Foreign Office is interesting. In this report Dr. Frederick Rose, His Majesty's Consul at Stuttgart, after giving figures showing that in the kingdom of Wurtemburg, which is less than one quarter the size of Ireland, the profits derived from forests amount to £1,200,000 annually, equal to 16s. per acre, or, deducting taxes, 14s. per acre clear profit on land of very low agricultural value, goes on to say: "The inhabitants of forests, the foresters, woodcutters, and other forest workmen and dwellers are, as regards health, strength, and a certain native shrewdness and sagacity, superior to the peasants of the plain, as these again are superior in health, strength, and many sturdy virtues to the majority of the inhabitants of the town." There is one other point in the draft scheme of the Irish Forestry Society that I would like to draw your attention to. In closing these prefatory references, they say it must suffice merely to enumerate a few of the additional benefits to be derived from the existence of carefully-administered forests, as, for instance, the regulation of natural drainage by equalising of the flow of rivers and streams which now cause damage by flood in winter and inconvenience through drought in summer, the facilities offered for immediately providing relief works of a permanently profitable and useful nature in those districts which now suffer from recurring distress; the cheapening of timber locally for building and all farm purposes, and the enhanced scenic attractiveness of the country causing a large influx of tourists and residents, and the establishment of health resorts. The second part of the scheme gives the system by which they propose to carry it out, which I need not put before the Commission, but there is one point here that is necessary:—"The present crisis in the history of Irish land tenure has also the strongest and most important bearing on the subject of forestry. The transfer of the land from the former owners to the occupiers creates a condition of affairs quite unprecedented and holding the widest possibilities for the development of this subject in which the society is so deeply interested."

26389. You are still speaking of the congested lands?—Entirely. Of course there are other areas in Ireland where timber growing would go on well. There is just one short extract I should like to give you from Mr. Morley's speech on the Indian Budget of last year rather bearing on the subject. Speaking of the Forest Department he says, "I am not surprised at the exultation of those concerned in the Indian Forest Department when they know how millions of assets are being built up in that country for the empire. Thousands are employed and over a million a year cleared after all expenses."

26390. Chairman.—Lord Castletown, do you know whether in any of these foreign countries which you quote, land is at present used for forestry where once agricultural holdings existed?—No. As a rule the agricultural holdings would be on the edges of the waste land which would not have been utilised. The waste land would then have been utilised by the State for afforestation purposes. I should think the only place you would find that would be at the Landes, where there were undoubtedly large shepherd proprietors who disappeared as the State afforested the land, but I should think that the sheep were merely taken off as the land was afforested.

26391. There is a considerable amount of grazing even now about the Landes. Sheep grazing now goes on in the Landes?—Oh, yes. Of course, in Belgium, in the Ardennes, there are a good many farms which are in the middle of Ardennes forest. But the farms that lie in the forest are sometimes taken up by the State for afforestation purposes. That is all done under the Communal system. The Commune benefit by the State's action.

26392. Sir Francis Mowatt.—The same thing is occurring in the Bavarian hills. The forest is sometimes half way on the hillside. Forestry is found to be more remunerative than pasture and they gradually carry the wood down the hill and so eat up the pasture?—Yes.

26393. Sir John Colomb.—Following up the Chairman's question, you say that in the Landes where there had been farms occupied by shepherds the lands were planted by the Government?—Yes.

26394. And the shepherds disappeared?—They disappeared.

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26395. Could you give me any information as to how the Government took up the land from the occupiers and what was their policy, and on what terms did they go?—No, I could not, but the information could be very easily obtained from the Bureau of Afforestation in France.

26396 Mr. Bryce.—Do you know how it is in Brandenburg where you know there are considerable stretches of poor sandy land, and there is a great deal of forest, and at the same time it is interspersed with cultivation. Now, do you know whether there is any difference in character there between the land under forest and the land in cultivation, whether any of the lands which had once been cultivated differed from those that remain in cultivation?—I should say that the land had been cultivated in parts. Farms might have existed there, but I do not think there has been any gradual deprivation by the State of a farm with the view of putting a forest on. Of course, the Brandenburg district was worked under the old feudal conditions and by the system of Hardenberg, the reformer, the feudal rights were taken away, and then the State stepped in and utilized the land for afforestation purposes—very much, in point of fact, what might be done at the present time in the West.

26397 You state that the Scotch fir would be a valuable timber?—A very useful tree It is practically the same as the Norwegian, only rougher in the trunk.

26398 Has there been any experiment made with regard to the fine American conifers?—Yes, there have been. The late Lord Powerscourt made experiments.

26399. I think Sir Charles Barrington has got some good ones?—Those are specimen trees.

26400. Do you think that the system you propose for the congested districts could be carried out with advantage under a general system of forestry?—No; because you see the expenses would be very great till these specimen trees become seed-bearing trees. At the present time the larch, the pinus sylvestris, the Douglas, and one or two of the others are beginning to get cheap. Till a tree gets cheap it will never do to plant it, because you must look on a tree as a crop like oats or any other

26401. But so far as you know there is no reason why some of those valuable American woods should not flourish on the land of Ireland?—No. The Douglas has done uncommonly well. It gives a very fine timber, but my private opinion, and that of other forestry experts, is that it is not as good a kind of timber as good larch

26402. Sir Francis Mowatt.—It tears with the wind very much?—Yes.

26403. Mr. Bryce.—How would you propose to get over the difficulty in those regions where lands suitable for planting are under pasture belonging to tenants?—When the Forestry Society were going over this with the Chief Secretary the question was where the money was to come from, and we made the suggestion, which I need not labour now before the Commission, that there was a fund in the hands of the Commissioners of Woods and Forests, that is the Crown and Quit Rents of Ireland, £20,000 a year which could be utilised for an experimental scheme, and that would make a practical fund. As those funds were derived from the old confiscations of land in the old days it might be merely a retributive system to utilise them again for planting, because, of course, there is no doubt that when the lands were confiscated in the time of Queen Elizabeth, about that time a very large amount of the land was covered with very fine oak forests, which were cut and utilised.

26404. Mr Kavanagh —Have you gone into the question of the expenses of planting at all?—Yes, we have. We will give you all the papers.

26405. On a large scale?—Yes. I was going to ask the Commission to allow me to put in the return which you will see. In view of queries suggested to us by Mr. Bryce, last year we issued a circular. The queries were to know what areas there were available for planting and without proprietary rights on them, and how the planting that existed at the present time was going on, what plantations there were in different parts of Ireland, and also what prices had been obtained by people who had cut down.

26406. Chairman —Do you think the whole of the paper could be put in?—We will put in the whole paper.

26407. Well, I think that would be very useful?—I should just like to say that we did not get nearly as many answers to the queries as we ought to have got. We did not get answers from some of the very largest proprietors I do not know why. Land agents did not appear to care to send them, but I have no doubt that if they were requested by the Government to do so they would, and I think it would be very valuable. We got the following returns which showed that there existed between 40,000 and 50,000 acres, meeting all the requirements (the requirements that we put forward were requirements of experts in forestry) including, as a *sine qua non*, that there should be no grazing or other subsidiary rights attaching to the lands to hamper a clear title. The lands indicated probably extend considerably over this area, as only the minimum of 1,000 acres on one lot was stated in the circular, and where any uncertainty existed the Society has adopted the minimum.*

26408 How many acres?—Between 40,000 and 50,000.

26409. Do you know if the Agriculture Department have any fund from which they could buy land of that sort?—No, I think not.

26410. Sir John Colomb.—I do not know whether this is the proper place for a question I wish to ask you relative to the actual natural difficulty presented in Ireland. Perhaps you are coming to that later?—Yes.

26411 Then I will defer it?—"In addition to this, the schedule says, the Society is informed that the Congested Districts Board own large areas which they would be willing to have planted under suitable arrangements." That we do not know, but we have been informed. I will just give the last case included in the schedule, the last number we have received to show you what has been doing. There is one very remarkable answer, in fact two remarkable answers. One was the case of an owner who sold all his property to his tenants with the exception of a mountain of 1,000 acres or more, which he offered to add to their holdings, but they refused to have it as being worthless to them, and he has now got it uselessly on his hands, and he will sell it for the purpose of planting it, at a moderate price. Seven hundred acres adjoining are already planted and doing very well, and they could also be acquired. Then come the returns that we had from people who had already planted and done fairly well. And I will put in these returns. I would only take two or three of the points which would elucidate what I am saying. We find two or three of them in Kilkenny. That was, of course, outside the congested districts. The value of the land that was planted was about 7*s.* an acre, and the price the trees fetched raised the value of the land to about 10*s.* an acre. It brought it up to the value of 10*s.* an acre.

26412. Chairman.—Have you not got to set off against that the price of the planting and the years that the trees are growing?—Yes, you have.

26413. Sir Francis Mowatt.—The 7*s.* that you mention, was that the rental of the land or the purchase price of the land?—The rental of the land. I will take another case which is perhaps a simpler one—another Kilkenny case, the trees grown and cut away, oak and pine and larch, two contiguous properties that we examined. In one case the management was uncommonly bad. The land value was nil. The value of the trees came out at £2 12*s.* 7*d.* per acre. Then in the next case the management was very good. The trees were cut at the same date, and it was the same type of land, and the value came out at £100 per acre.

26414. Mr. Bryce —The same class of trees?—The same class of trees. It showed the difference between good management and bad management. It is a remarkable case for the simple reason that under the German system, the proper system, the tree is run up without knots, whereas under the old system, the Irish and Scotch system, your tree is full of knots. Under the German system they keep the wood as fine thickly planted as they can, so that the tree runs up spindle-like and there is not a knot in the whole of it.

26415. Sir Francis Mowatt.—Let me ask you at this point where it comes in what type of land did you use for these two experiments?—It is the usual low-ridged hill, limestone rock lightly covered with soil and heather.

26416. Above the water level?—Yes.

26417. Sir John Colomb.—And dry?—Dry.

* See p. 249.

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26418. And on a hill. Could you give me the aspect?—I could not tell you that quite off-hand now, but I can get all these returns for you.

26419. You spoke about a large area of forest affording employment?—Yes.

26420. Now, take 1,000 acres for comparison. Could you give the Commission any idea of the amount of employment 1,000 acres would give?—I am afraid I could not do it off-hand. I can get it for the Commission, because we have prepared a form on which we could show what the 1,000 acres would employ, the length of time the employment would go on, the number of men employed from time to time, the cost of fencing, planting, draining, etc., and the ultimate result in value when the forest was cut down.

26421. You would put such a return in in the form of a memorandum?—Yes.

26422. Thank you?—That finishes my point of afforestation.

26423. Mr. Bryce.—Before you leave that may I ask you a question. You know the land in the West, about Connemara?—Yes.

26424 And all that country about Recess and that great bare stretch of hills on which there is pasture?—Yes.

26425. Do you consider that that would be suitable for afforestation?—Parts of it are and parts of it are not. There is a very large portion of the land about Oughterard in the South which is not suitable at all for afforestation, but on the other hand there is a certain number of high ridges there very suitable.

26426. What in the view of your Society constitutes suitability?—You would have to take an expert's opinion on the question. I may claim to be myself an expert on the subject. If I were to go over the ground I should be able to tell you in a very short time whether you could grow timber or not there. You cannot grow timber with any good effect on any wet, boggy land. You can grow timber on heathery, high ground, with a sharp drainage, with bog lightly over the top of the rock.

26427. Take all that stretch of hill that runs from Oughterard over Ballynahinch, towards Clifden, south of Ballynahinch—is that suitable?—Portion of that is very suitable. What I have in my mind at this moment, the area I have been speaking about, is not used for grazing or anything else, and very high up, that is very suitable land for afforestation, with a very sharp, good drainage.

26428 Take all the country that lies to the north of Recess, up to Kylemore. Would the slopes of those hills be suitable?—Well, some slopes of those hills would be very suitable.

26429. I take it that the only way in which we might relieve congestion on that fringe would be by afforesting those bare hills to the north?—Yes, I am of that opinion.

26430. It is a very difficult thing to find any cultivable land for these people, to extend their holdings?—Very.

26431. And if we find that their fishing does not develop it is very difficult to provide industries for them?—Very, but afforestation would provide for all these people during the winter months, during the time they are not doing ordinary work, fishing or migratory labour.

26432. Sir John Colomb.—Lord Castletown, I understood you to say in the illustration that you gave, that the successful planting was on limestone?—Yes

26433. Is not it the case that the great pressure of human distress in the western congested districts is not on limestone but mostly on granite areas?—A great deal of it on limestone and a great deal on granite and on sandstone, which grows good timber.

26434. Can granite soil grow timber?—Granite grows fairly good timber I do not think myself that granite, unless it has a fair amount of soil, will grow as good timber as limestone. I am told that in some parts of Scotland granite grows very good timber.

26435. Is not it the case that the natural difficulties with regard to planting in Ireland are wet and wind, thus limiting aspect?—I should not say that wet has anything to do with it, because you can have drainage. That is why I say wet, boggy land is hopeless if undrainable.

26436. Mr. Bryce.—Till it is drained?—Till it is absolutely drained, if possible cut out to the sand or limestone level.

26437. Sir John Colomb.—Then the sort of land you have in your mind is heather land?—Yes.

26438. Are you aware that in mountain districts in Ireland, especially on the west coast, if you plant on mountain land that has grass or anything approaching to grass, the difficulties are great owing to the rapidity of the growth of the grass?—Yes, I have heard so.

26439. So that in giving a general impression of what is possible in the western districts as regards planting you rule out mountains or lands or hills that are grass and not heather?—No; the heathery grass land that can be utilised for planting must be land with a sharp fall, because you must have drainage. No tree will grow in sodden ground. The trees will grow admirably in heathery ground. If you have heather you can burn the heather too if you like, and you would then have ashes which are valuable to start the young trees, but you must have drainage. As to wind, wind has very little effect except on small plantings. Small plantings cannot be planted where there is wind, because you would at once have the whole thing knocked down; but if you have a planting of a thousand acres, the planting that we have in our minds, the State plantings, the great weight of the trees keeps the whole thing together.

26440. Did I understand you to rule out of your programme grass mountains?—Yes, grass mountains. If the grass was very good, I think it would be an unwise thing to utilise it. I do not say that you cannot utilise it, but I do not think that it would be necessary to utilise it, because you have so much land that can be used without touching the grass.

26441. The grass I mean is the mountain rough grass, the grass commonly known in Ireland as finaun?—Yes.

26442. Do you recognise the great difficulty of planting on land where there is finaun grass?—No; I think it could be done with drainage.

26443. Are you aware that when you drain that land with the finaun it will be followed by an increased growth of grass?—Yes; I don't mind that.

26444. And that is a difficulty, because it smothers the young trees?—That is where your foresters come in That is the business of the forester.

26445. But it increases enormously the expense of planting?—Quite so, but not enormously.

26446. And that must be drained?—Quite so.

26447. Sir Francis Mowatt.—You have spoken about wind not being a very important consideration in large plantations?—Well, we do not consider it very serious.

26448. Do you extend that seaward—if the slope of a hill was towards the sea, would not the sea wind be a very injurious thing to the plantation?—Very mischievous, and therefore we like as much as possible to protect it from that sea wind.

26449. Are you bearing that in your mind?—Yes, thoroughly.

26450. Sir John Colomb.—Then, having at last got over all the initial difficulties, and the extent of the trees available, is not the rapidity of the growth of timber in Ireland remarkable?—Yes

26451. Does not that very rapidity of growth reduce the market value of the timber by reason of its softness when it comes to maturity?—We do not find that. The answer to that would be, as I think, the timber that we sent the other day to the Glasgow Exhibition from the south-west of Cork which, as you know, has rather a damp climate and moist. It was very quickly grown larch, and it got the gold medal for being the best timber.

26452. Then, the next point is this—is it not the case that, generally speaking, in Ireland the people are wholly unsympathetic, if not hostile, to occupying land with trees?—I think there is that feeling among them. I do not think they understand the value of them here.

26453. Is it not the case that it is a feature of the results of properties sold to the tenants that the trees disappear?—Undoubtedly.

26454. Therefore, we have got to face the problem of reafforestation under conditions where the population are unsympathetic, if not adverse, to occupying land with trees?—I do not think I would go so far as to say unsympathetic. I think they are uninstructed about the value of timber; but while we have instances during the last few years in which trees are cut down on farms which have been sold to occupiers, it is also the fact that in a very large number of cases plantings are springing up which

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are being done by the occupiers themselves, and perhaps you are not aware that we have lately succeeded in getting what is called Arbor Day established in Ireland. I have a letter which I got from a gentleman in Kerry who is, perhaps, not unknown to you, a small farmer asking me to send him some timber to plant on his farm. He is anxious to have a small wood on his holding.

26455. But is not it the case that the Agriculture Department will supply trees almost to any tenant that wants them at almost a nominal rate?—I should not like to say anything about the Agriculture Department in connection with afforestation, because my society do not think they have taken up the position that they should.

26458. CHAIRMAN.—What is your view of the reason why so little has been done as to afforestation; if there is all this suitable land, why have the new Department done so little?—I should not like to express an opinion about that.

26459. Can you not tell the Commission where you think the weak spot is, why is it not going on, is it due to the fact that there are certain grazing rights over much of this land?—I have asked several questions in Parliament on the subject, and the answer has been generally given that no specified sum of money was given to them for spending on afforestation, and what they had they chose to spend at Avondale on a forestry school. Of course the answer I gave—that my society gave—was that it was no use to have a forestry school till you have forests to work upon.

26460. Did your society give evidence before the Committee of Inquiry into the working of the Agriculture Department?—I did not, but several members of the society did.

26461 Had they already planted in the West of Ireland?—Yes.

26462. At Knockboy?—Yes.

26463. Could you give the reason why it failed?—I could not give the absolute reason, not publicly.

26464. Because we have it in the locality. I wanted to get the opinion of an expert like yourself?—I am afraid I could not give the reason.

26465. Why do not the landlords do more?—The landowner only lasts a certain time. He will not get a return, as a rule, out of the trees, even supposing he began to plant them. If he begins early he gets a return, but he has to wait for the return, and the prior expenditure has always been very heavy, because the State did not lend money at a low rate of interest, but at a high rate of interest, and therefore the value of the crop to the owner was not sufficient. And then you might get into a large political question, because the owner might say, "I do not know what is going to happen to my property tomorrow." Sometimes they have planted in very large areas which we have examined, but they are not in congested districts.

26466. Do you think that the argument about the uncertainty of the future would apply to land such as you have described just now?—Yes, I suppose so; but I should think that it is a question of State expenditure, and that would be a reason for doing it. In Scotland, of course, a great deal has been done by proprietors, but in Ireland very little has been done.

26467. Would you suggest that these lands should be acquired and planted by the State, or that grants should be made to the landlords?—Oh, no; absolutely by the State. If it is to be done properly, the whole thing must be done by the State. It has been absolutely successful in France, Belgium, Germany, Austria, America, in Hungary, I believe, and in Switzerland.

26468. Now, in those countries that you have mentioned do the forests lie in huge blocks, cases like the Landes that you mentioned?—Yes.

26469. Was there ever any case in which the trees were in patches?—I think it really does not matter if you have the blocks interspersed so long as you get a foothold for the tree and a suitable planting. A good forester will see at once where there is an area where trees will grow.

26470. But, obviously in Ireland, where you can only plant 1,000 acres, or 500 acres, or soforth, it must be rather of a patchy type?—Yes.

26471. Do you think that the cost of dealing with these trees, owing to the fact that it is on a patchy system, would be so much in excess that the profits would be materially affected?—I do not think it would, because, the work being done by the State, it would be under supervision. These plantings would be supervised by two or three men, and they must have the advantage of the caretakers, and the small farmers and so on who would be about, to see that the fences were kept in order, and the trees would grow then themselves, and only, say, every ten or eleven years would there be a necessity to bring up large gangs to the particular patch which you are going to deal with.

26472. Sir JOHN COLOMB.—Just a question as to why the landlords had not planted. Is it not the case that the landlord could get money from the Board of Works?—Yes, at very high interest.

26473. Five and a half per cent., is it?—I think six.

26474. Is it not the case that before the Land Act of 1881 nearly all this land in Ireland was occupied in some way by tenants, and that that Act made the taking up of land from those tenants for the purpose of planting, or any other purpose, absolutely impossible for the landlord, and that that is another reason, besides the question of expense, why landlords have not planted—is that your view?—Yes, certainly.

26475. Sir FRANCIS MOWATT.—Is not one of the difficulties in the question of afforestation the difficulty of preserving the trees against the local peasantry wanting a young tree for a barn or for fuel or other things?—Yes.

26476. Do you regard that as a very serious difficulty?—I think if the people understood that the whole thing was done for the purpose of giving employment there would not be much desire to do mischief. Of course, there may be malicious cases, and things of that kind, but I have quite sufficient confidence in my countrymen that they would see what was the wise thing to do

26477. But there has been considerable difficulty. It is not an uncommon way of bringing a landlord to reason to burn down a young plantation?—Of course I am afraid that is a thing that would have to be faced.

26478. It is not how it may be faced that I am speaking of, but how far do you consider that that would in any scheme of afforestation so greatly reduce the possible profits as to render it difficult to carry on?—Well, it opens a large question; the question of malicious injury would arise, but the State could recover, I suppose, from the district in which the burning was done. I should say that by degrees the people would realise that it was better to help the State.

26479. At all events it has been done?—Oh, it has been done

26480. Has it been considered in your memorandum?—Undoubtedly.

26481. Have you ever known a plantation maliciously burnt down?—I have known two or three cases.

26482. Sir JOHN COLOMB.—Burnings of plantations of thousands of acres were tolerably numerous at one time within the last twenty years?—Yes.

26483. Mr. O'KELLY.—But when the State would become the owner of the plantation there would be no reason for malicious burning; there would be no reason on the part of anyone to take revenge on the State?—Oh, no reason.

26484. Malicious burnings would cease?—I do not quite follow.

26485. I mean this, that if the State planted one thousand acres there would be no question of any burning of those one thousand acres; there would be no reason for malice?—I see no reason, but I was asked the question whether it was possible and whether it had been taken into consideration, and you might take it into consideration I suppose from that point of view. Suppose you planted 30,000 or 40,000, and that malicious injury was done to 1,000 you would deduct that from the value that you would put on your 30,000 or 40,000 acres when you realise. What I should like clearly to draw attention to is that forestry is not only for ornament; it is a question of cropping. It is like taking a thirty-five or thirty-two years' crop of larch trees off a certain section of the land, and after the trees have been taken off that land might be parcelled out with great advantage to peasant proprietors in sections, because we find that land, especially bog land, drained and cut out, will be enormously benefited by the needles of the trees.

26486 Sir JOHN COLOMB.—What is the system which you advocate of planting the trees—I suppose three feet apart?—The German system is still closer.

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26487. But they are thinned out?—Yes, about every ten years; when trees are weak and not likely to grow well they are taken out to allow the better trees to cover the place, but it is a very slight thinning in comparison with what was done under the old system.

26488. Then if you planted in the congested districts and thinned out about every ten years, would you look to anything in the way of a price and a sale for the thinnings?—Oh, yes; that would be put into the returns.

26489. Are you aware that in those very congested districts in the West of Ireland there is practically no sale, because the people will not buy thinnings even as fuel, even at a nominal price?—In that case they would be given.

26490. Given?—They are of very little value at that age.

26491. I am aware that it is the case that, unhappily, from ignorance or otherwise, in the West of Ireland when trees ten years' old are thinned out you will not get a penny a cart-load for them, but if you leave them in the plantation they will all disappear in a night?—Yes, I have seen that.

26492. And therefore if you planted 1,000 acres, and the people knew that you would give away the thinnings in ten years' time, do you think they would wait to take them?—I should think that before the ten years had gone by the people would regard it more favourably than that.

26493. CHAIRMAN.—Have they done anything in Scotland, to your knowledge?—The State has done nothing, but I believe the best of the plantations is that of Mr. Monro Ferguson at Raith, and he has done it practically without State assistance, and planted his woods in rotation. I have ventured to put down points which I want to bring before the notice of the Commission; and the next point would be on the question of housing. I look upon this as one of the most important points perhaps connected with congested districts work. I have personally gone amongst the people there for a number of years, and stayed in the houses of the people and talked with them and listened, and tried to find out really what their views were, and as far as I can sum up what I have heard and seen for myself I have put down their fireside evidence from their own lips. The great point would be to help them to get their houses into a really decent state, and, if I might venture to make a suggestion, it would be that that might be carried on on the system that is now being adopted at Spiddal by what are called parish committees, I believe, and in other parts, and with the assistance of Raffeisen banks, small local banks. The people wish to have their houses in order, and there is a strong feeling amongst them which did not exist so much twenty years ago, that they wish to have a good stable, and to have the cattle out of the house instead of being in the house, and they wish to have more comfort. A great number of the men and women go to England and Scotland, and they now wish to be as comfortable as the people they visit.

26494. Are you going to refer to the parish committees or not?—Not unless you wish.

26495. Before you pass from that may I ask, are you a supporter of the system of parish committees?—Yes; I think the smaller the area that you deal with in the congested districts the better.

26496. Would you like to see more work thrown on the parish committees?—Yes, I should.

26497. Do you think that things like the spraying of potatoes and encouragement of things of that kind might be done through the parish committees?—Yes.

26498. Sir JOHN COLOMB.—With reference to the housing, have you noticed that one of those immediate visible results of the transfer of the ownership from the landlord to the tenant is in many cases to produce an entirely better and newer class of houses?—Yes.

26499. You have noticed it?—Yes

26500. The change for the better is more conspicuous in the houses than on the lands?—Yes. What I intend to bring next before the Commission is the occupation of the land. There are what I may call decently, properly managed properties in the congested districts and also badly managed properties. My opinion is that it would be very unfair to interfere with any properties that are practically or fairly well managed, but as regards the other class, that is, the badly managed properties, I think it is absolutely essential, if you want to carry out the work of the Commission, that they should be brought into line with the well-managed. With respect to what I call the badly-managed properties, what I would venture to suggest is this, that though it would be very invidious and very unpleasant, I am afraid it is inevitable that in some shape or form the principle of compulsion should be utilised where you have hopelessly or badly-managed properties. Every step in that direction should be safeguarded to the utmost. If you do not safeguard it you will have one of the worst possible things all over the country—petty spite will be developed and gratified by one man attacking another. It is, perhaps, a progressive view to take of it, but I have thought it very carefully out, and I think I am justified in bringing before you my view, which is that the proper way would be for a small sub-Commission of the present Commission to schedule, in some schedule form, what are really the worst managed and hopelessly insolvent or irretrievably-ruined properties. I have one or two in my mind at this moment. When these estates or properties had been scheduled, and their value assessed, the Commission could decide whether some form of compulsion was necessary—a form of compulsion, possibly, under the superintendence of and safeguarding by judges of the Supreme Court, and attaining, of course, all fairness to the owners. Of course I am dealing only with lands inside the Congested Districts area, and with properties which the Commission might think it absolutely necessary to deal with. There are properties that in my opinion are really practically hopeless. In dealing with them, I should make compulsion, if it is to be used, even, that is to say, compulsion on the tenant and compulsion on the owner, because in some cases you would have to compel the tenant to surrender something or other which he might not care to surrender, and you would have to compel the landowner to do the same. In point of fact, it would really be a question of benevolent despotism with some of these cases. I have thought it over very carefully for years now, and at last I have come to the conclusion that it is the only way out in some cases. Once you have taken charge of an estate as the Congested Districts Board does now, let the stripping be carried out, the land be got into shape, and the houses and drainage attended to, and then let the people carry out what I look upon as being the most useful feature of a scheme for congested districts, namely, a proper communal system.

26500A. CHAIRMAN.—You spoke about the difference between well-managed estates and badly-managed estates. I do not quite follow where the management comes in?—Management is, perhaps, the wrong word to use. By well-managed I mean cases where the owner is well-off and is able to give assistance when it is required, and has done all that he could possibly be asked to do having regard to the enormous number of small houses on the property—that is really the landowners' great difficulty. Also where he has been a resident landowner perhaps all his life, and his father before him, and where every effort has been made to meet the difficulties of the congested area. I know one or two such cases, but many cases exactly the opposite.

26501. But as a matter of practice—I only want to know to what extent the difference is a voluntary difference. Since rent-fixing came in in 1881, have there been cases in Ireland where landlords have actually paid back considerable sums of money to improve houses?—Yes, certainly. I have known certain cases.

26502. It is really pure benevolence?—There are undoubtedly cases of a resident landlord doing all that he can to assist in this way.

26503. What does he do?—He may have a large home farm and may employ a very large staff of labourers. When the thatch comes off Tom Flanigan's house he has it put on for him, and if Tom Flanigan is very backward in paying his rent, he does not push him to the last pin of his tether, as they say in Ireland. I mean an estate is managed in a kindly manner when the owner is resident among the people and when he assists by spending some of his money in the area in which he lives. On the other hand, on badly managed estates, the owners are very likely, owing to circumstances, unable to do anything for the property; they do not live there and have to exact every farthing out of the people without returning anything to them.

26504. Then the distinction you draw between the well-managed and the badly-managed estate is really

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that in the one case the landlord lives there and is well-disposed towards the tenants in general, while in the other case the bargain arrived at in 1881 is strictly adhered to?—Yes.

26505. And no "extras" are given back?—Quite so.

26506. Sir FRANCIS MOWATT.—Do you include in the words "badly-managed" permanent absenteeism?—Yes.

26507. Sir JOHN COLOMB.—The authority you propose to establish is a benevolent despotism?—Yes.

26508. And the State is to be the despot?—I am afraid so.

26509. And the agent is to be the Congested Districts Board or some other authority?—Well, you have got the Parish Committees.

26510-11. Therefore, you are going to put the State into the position that landlords used to occupy in days gone by?—The State is in that position now. The State is always in the position of a benevolent despot even when it takes your income tax.

26512. Then I understand you really mean that the prime factor in the differentiation between well-managed and badly-managed estates is the kindly disposition or otherwise of the landlord?—No. I said that the landlord may be in such circumstances that he cannot possibly help himself. The whole estate may be hopelessly insolvent or irretrievably ruined.

26513. If you propose only to apply this to insolvent or ruined property, how are you going to ascertain that it is in that condition?—You can ascertain it by going into Judge Ross's Court.

26514. Then it will show it of itself?—I only suggest that there may be property that has not yet reached that position.

26515. How do you mean not already reached that position?—Yes; there are estates of that sort.

26516. Do I gather that you want to anticipate a natural process by some special State action?—Not any special State action. I should like to have it ascertained what estates are in that position. You will find probably that some of these estates are already in Judge Ross's Court, and you will find that others are coming in. If the State has got money, as I understand it has, to deal with land purchase, surely it would be better to deal as rapidly as possible with these particular spots before they create further friction round about.

26517. But is it not the case that when a ruined or hopelessly insolvent landlord is in Judge Ross's Court he has absolutely ceased to have control of the property?—Quite so, but what I want to point out is this. When an estate comes into Judge Ross's Court the result is that it is sold to the tenants, and that very likely waste land is not looked after in any shape or form. The demesne may be sold to the landlord. My object is that in a case of that kind the Commission or the Congested Districts Board should have the power of approaching Judge Ross, the owner, if there is an owner, and the tenants, and try to bring about such a settlement of that estate as would put it in the most economical condition. Mountain land could probably be dealt with. The demesne would go to the owner and the land to the tenants, and the District Council or Parish Committee might look after the houses. There are a certain number of estates that are practically plague spots, and should be dealt with rapidly, because they give trouble.

26518. CHAIRMAN.—But is there any reason why such an estate, poor as it is, should not be sold under the present machinery direct to the tenants?—No.

26519. Do you believe it is a healthy thing, do you believe it is a good thing, that numbers of poor estates that need improving should pass direct from landlord to tenant?—No. My object would be rather to get them into such shape in the courts before they go through the actual process, because otherwise the State would lose the advantage of getting hold of a great deal of land, which could be used for this purpose.

26520. You consider that where an estate can be shown to be in need of considerable improvement in these cases the principles of voluntary sale should not apply?—I think so.

26521. And that in that case if the estate is sold it should pass through the medium of an improving authority?—Certainly.

26522. Sir FRANCIS MOWATT.—Of course it is a very difficult thing to decide whether an estate is well managed or badly managed within the sense in which you have used the term. Would you accept such a definition as this: that whether an estate is well managed or badly managed depends upon whether it is so managed as to be a substantial economic advantage to the district in which it is situated?—Yes.

26523. And whatever may be the cause of the economic difference, it will not interfere with your definition? That is to say, if a man for any reason does not manage his estate so as to be a substantial economic advantage to the district in which it is placed it ceases to be a well managed estate?—I should say that that is a very fair definition of an estate—of course, in the congested districts only.

26524. Mr. KAVANAGH.—If the Congested Districts Board had compulsory powers you think it would be all the machinery necessary for such a scheme as you have outlined?—I think it would be well to leave the work in the hands of the Congested Districts Board, judging from the examples of its work I have seen, provided it has sufficient powers.

26525. It would require compulsory powers?—It would require compulsory powers for these peculiar cases.

26526. You say the Board has a knowledge of these various estates?—Yes.

26527. CHAIRMAN.—Would you limit compulsion merely to this class of poor estate?—Yes.

26527A. But supposing you found that upon an estate there was not sufficient grass land or unoccupied land properly to improve and enlarge the holdings, where would you get sufficient land for the purpose?—I am afraid that in such a case you would have to deal with some of the grass land under compulsion.

26528. Then you would have to extend compulsion to this land?—Yes. As a rule, I think you would find that very few estates have absolutely no grass land. I should say the great majority have isolated bits of grazing land, which very often are the only pieces of land that are really paying the owner at all. Of course, if you dealt with the whole estate you would, naturally, get possession of these lands.

26529. Sir JOHN COLOMB.—If compulsory powers were given to the Congested Districts Board to acquire property, such as you describe in congested districts, would you leave it to the Board to fix the price?—No.

26530. You do not think that they should be charged with fixing a price?—No. You would not ask a butcher to fix the price of a fat beast.

26531. Mr. O'KELLY.—Who would fix the price?—There are so many valuers and able heads of Boards, I think it would be very easy to get a committee together. But it is hardly for me to make a suggestion. It is a question for the Government.

26532. Do you think that a committee of experts in the value of land would be a better tribunal than a judge in court?—I think they would be better able to bring the value before the committee. But in nearly every case there would be a great number of interests to consider; and, of course, an expert from the Congested Districts Board would be the proper person to bring those interests forward.

26533. Sir JOHN COLOMB.—Are there any uneconomic holdings on your estate outside the congested districts?—Uneconomic? No.

26534. You have sold your property directly to tenants, have you not?—Only a portion.

26535. Sir FRANCIS MOWATT.—I gather from your evidence that you think a tribunal to fix the purchase price could be established in Ireland which would command general respect?—Yes, I do.

26536. That is to say, that its awards would be accepted with general acquiescence?—Yes. Prices all over Ireland have been fixed so continuously during the last ten or fifteen years that it cannot be a very difficult thing to arrive at a general average for these particular types of properties.

26537. Sir JOHN COLOMB.—Can you sketch to the Commission the sort of tribunal and the principles

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that would quite satisfy you if compulsory powers were exercised in the case of your own estate?—I said distinctly that I would be no party to compulsion. I do not believe in it in the least where you have men on anything like equal terms with one another as in other parts of Ireland. But there are congested districts which are absolutely hopeless. That is the only word to use for it, and I do not know in what other way you can deal with them. You cannot deal with the congested districts in the same way as you would deal with Middlesex. You have to deal with them in the same way as you would deal with the Hebrides.

26538. Your proposal of compulsion is absolutely limited to the congested areas as they now stand?—As they now stand.

26539. And scheduled under the Act?—And scheduled under the Act.

26540. And you would not extend the principle beyond those areas?—I believe there are a few areas which have not been scheduled, which are of the type of congested districts. I have not seen them myself.

26541. Mr O'Kelly.—Do you know the West very well?—Yes, I do.

26542. Are there many estates in the West that would come under the purview of Sir Francis Mowatt's definition?—Yes.

26543. Is there a very large number?—No, I don't think so.

26544. Which are the more numerous—the well-managed or the badly-managed estates?—That is a very difficult question to answer. It is not a question I really can answer without going over the whole ground again.

26545. In any case you object to compulsion in the case of well-managed estates?—I should not think that compulsion would be necessary.

26546. It very often happens that on some well-managed estates you have a large number of uneconomic holdings?—I do not know of any, but I suppose there are such cases.

26547. And if the landlord refuses to sell his property, or to give land for the improvement of uneconomic holdings, would you stop short of compulsion?—I do not know any other way.

26548. Would that consideration modify your view as to the non-application of compulsion to well-managed properties?—I think you are going into too large a question. I am dealing with congested districts only.

26549. And I am dealing with congested districts. Would you apply compulsion to well-managed property if it were within the congested districts?—I believe legislation for Scotland on the same lines is coming on, and I should not like to advance an opinion until we see that legislation.

26550. Is it your view that to all property, whether ill or well-arranged within the areas now scheduled as congested, compulsion should be applied in these cases?—On the lines laid down by Sir Francis Mowatt.

26551. Sir Francis Mowatt.—Where the estate is not so well managed as to be a substantial economic advantage to the district in which it exists?—Yes.

26552. Mr. O'Kelly.—Sir John Colomb asked you about extending the present definition of congestion. Are you not aware that there are many non-scheduled areas in the West that contain large numbers of uneconomic holdings which are excluded from the Congested Acts by the present definition of congestion?—I understand there are. I have been told so.

26553. That being so, would you like to see that definition revised so as to include these uneconomic holdings that need treatment?—That would be a question for the Commission, not for me.

26554. But I should like to have your opinion on the subject?—I have not formed an opinion.

26555. Whether the property is badly managed or well managed depends upon whether it is so managed as to be of substantial economic advantage to the district in which it is situated?—You know the West, Mr. O'Kelly.

26556. Yes, I live there?—Well, you will bear in mind that some properties there are not of economic value.

26557. I ask you do you know a single property in any of the five counties of the West to which that definition would apply?—Yes.

26558. You do?—Yes, several.

26559. Are they one in every one hundred?—I don't suppose there are one hundred properties in the part I am talking of.

26560. Chairman.—I do not quite understand what object you have in your mind in obtaining compulsory purchase on these poor estates?—Simply for the improvement of the people on them.

26561. When you talk of improvement you mean the enlargement of holdings?—Yes; I will come to that. Certainly I mean the enlargement of holdings and the bringing in of the communal system, which is the only system you will be able to work in the congested districts.

26562. You mean re-striping and re-dividing?—Yes.

26563. You would admit it would be bad to handle an estate of that kind unless you were prepared to leave it in as good order as possible at the end?—Yes.

26564. That is, not to leave the people still on but slightly improved uneconomic holdings?—Certainly. My object in using the word "compulsion," which is a word I object to strongly, is simply because that is the only way you can bring this sort of property into the market for improvement. I would use compulsion on both sides. Some of the tenants absolutely refuse to do anything. Through the assistance of the influential men of the district, and through the parish priests, if you get compulsory power, you may induce them to do something and put them in such a condition as to improve the estate.

26565. I don't think, from the evidence we have had before us so far, it has been suggested that that class of property of which you speak is the most difficult to acquire. We have been told that where compulsion is necessary is with regard to the better lands, and not with regard to the very poor lands. Owners of very poor lands seem perfectly willing to sell under the voluntary system?—You'll find there are large grazing areas within those properties.

26566. We have had several cases mentioned to us where in estates of that kind the Estates Commissioners refused to declare them estates until the grass lands were put in and included?—All the better; but the landlord may refuse to sell.

26567. He cannot be compelled to sell?—He cannot be compelled to sell, and therefore you must have compulsion.

26568. Have you any case in your mind where it would be a loss to the owner to sell; where the estate is so encumbered that it would be a loss to the owner to sell. I have always understood that the more encumbered the property the greater the benefit accruing to the seller?—That would hardly be the case. There are a great many cases in which there is actually nothing left for anybody.

26569. The fact that he is able to pay off his mortgage with the money advanced by the State does give him an income where he had no income before?—Yes, that is likely, but I have an estate in my mind where, very likely, the mortgagees even would not get two-thirds of their money.

26570. Sir Francis Mowatt.—I just want to understand, in the simplest possible form, so far, what is the result of your evidence upon the whole. Is this it? Where the congestion in a district is such as to make the purchase of an estate within it absolutely necessary for the establishment of economic holdings, in the district, that even if the estate is well-managed under the definition laid down, the private interest of the landowner must give way to the necessary re-arrangement of the district?—Yes; I think so.

26571. I have in my mind a man perfectly blameless, who has a perfectly well-managed estate, between two badly-managed estates, and for the re-striping of that district the well-managed estate must be taken from its owner, assuming he is absolutely compensated, and does not lose by it, then do you agree that the general interest must be accepted as greater than the individual interest?—Yes; I think so.

26572. Chairman.—What is your objection to com-

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pulsion outside these areas?—My objection is the objection that every man has to being compelled to do anything. I think you have it yourself, Lord Dudley, it is the feeling against being compelled.

26573. There are already several precedents for the State acquiring land for public purposes by compulsion. You have got Labourers Acts in Ireland. You have got Railway Acts, and Lands Clauses Acts, under which you have powers to obtain land for railways?—I think that the less the State uses compulsion—I am a Liberal—but I think the less the State uses compulsion the better.

26574-6. Yes, but wouldn't you agree that there are public purposes for which it is necessary?—If it is proved that it is required for great public purposes, and that the two Houses of Parliament, or the Government initiated a scheme I should accept it, but I disapprove of all compulsion beyond what is at present taking place.

26577. Would you say that a landlord in Ireland had any cause for complaint if the State took his land, that is, bought his land compulsorily, for public purposes, at a price which left him no worse off than before?—I don't think he would have any serious cause of complaint. Of course it would be very unfair to have your house taken from you compulsorily.

26578. But you may have it done. It is done in London. People had their houses taken compulsorily from them when the Great Central Railway came into London, round by Lords' Cricket Ground?—It is done, but I object to it on principle. I think it is far better for the State to get it voluntarily.

26579 You admit it is not a new principle?—Yes; the principle is there I think.

26580. Mr. Kavanagh.—You would be in favour of compulsory purchase where the estate wants improving?—Yes; on the lines of Sir Francis Mowatt's question.

26581. But supposing it could not be improved without acquiring untenanted land outside the area, would you be in favour of exercising compulsory powers? Supposing the migrants could not get enough land inside would you be in favour of going for powers outside?—I would not be in favour, because I think there is quite enough land inside.

26582. That is not my point. Supposing it is proved to you that there is not enough land inside would you then be in favour of extending the power?—I should be very very careful indeed.

26583. Sir John Colomb.—Just before you pass from that point. You have given us a general opinion as to the policy to be pursued with respect to compulsion and other matters in the congested districts?—Yes.

26584. Have you ever had any property yourself in congested districts?—No.

26585. Have you had any special opportunity, denied to other people, of inquiring into the condition of estates and their management in the congested districts?—I prefaced my statement of evidence by saying I had studied the matter for twenty or thirty years, and had made a very careful special study of it——

26586. That is from the general point of view?—Oh, no; going through the districts, learning the state of things and the condition of the people.

26587. When you differentiate between estates well managed and badly managed, have you had any opportunity of examining the actual state of affairs in the landlords' books?—No. It is as likely as not I would not be allowed to. I have seen estates sympathetically managed and those unsympathetically managed; anybody can see that for themselves

26588. You judge from the external character of the estate as to what it was like?—No; I rely also upon the evidence given me by the tenants, possibly by the owners, and possibly by the agents.

26589. That is what I want to come at; your opinion is founded upon information derived from owners?—And from the tenants.

26590. And they have disclosed to you the fact that they are hopelessly insolvent?—Yes, some of them.

26591. And it is of that class of owner you are mainly speaking?—Yes; of the hopeless class. However that may be, they cannot help it.

26592. We now come to what you describe as the communal farm?—Yes, the communal and co-operative farm is one of which I have a certain right to speak, because I have worked it upon my own estate. It is not a congested estate, but has a large number of medium-sized farms, of thirty, forty, and sixty acres, and it was in consequence of seeing what was going on upon congested estates that it occurred to me, about ten years ago, to start this system, and see what the result would be upon the farmers who live round about. I took an area of about 400 acres of medium land, and converted it from grass to tillage. I then asked the small farmers about if they would like to have, for a crop, a certain portion of this land—a rood, an acre, or two acres, and so on—I have published the whole subject in a pamphlet, which I will hand in. I'll roughly state what the system is. We started about thirty or forty men working upon this land. We have now over 200, and they get a portion each—a rood, an acre, and so on, whatever we thought they were entitled to. We know their circumstances They are simply asked the question, "What do they want?" When they have a large amount one year, they have a small amount the next year. We exercise a kind of benevolent despotism The despotism is not much if any good comes to them. That grass land is now turned into a farm. The men round this farm have all bought their holdings, and they are better off than ever before, and for this very simple reason—they are able to rest portion of their own land every year, because they can get a certain portion of the communal land for the purposes they require.

26593 Mr. Kavanagh.—You let by the year?—Only by the year.

26594. For the crop?—Yes, for the crop.

26595. And it is all in tillage?—Yes. If a man has tillage, he may have sheep, as you know they have in Belgium, on a portion set apart for grass land, or so many cows, and so on. My suggestion to the Congested Districts Board is, that where you have an estate taken over by the Congested Districts Board, instead of taking the men clean off the land they are on and putting them on the whole of this estate, you should take a section of the Board's grazing land and utilise that exactly in the same way as I am doing. You then put them in as communal holders. They will learn very quickly; learn how to till properly. We had experimental plots to show them how to till on my land, and that could be done easily by the Parish Committee's members, or anybody whom the Congested Districts Board appointed to show them how to work, and you could keep a certain portion in grass for their sheep and goats and cows. Then, as soon as they have profited by the advantage, you could move them to the new places, and give them new farms. You give them the means of managing their lands, and it only requires a little trouble and personal supervision. We work ourselves entirely with the assistance of a Raffeisen Bank, which I established simultaneously, and we began with about twenty or thirty, and have now 200; and if I had twenty similar plots all over the country where there are small farmers the same thing would go on. It trains people, and gives them a great advantage They may say, "I do not want any land this year. I'll want some next year," and so on.

26596. Sir John Colomb.—It is very interesting. Have you finished your description of this experiment?—Yes; it is entirely a question for you, if you think the idea is worth anything, to ask the Congested Districts Board to take it up.

26597. Your suggestion is that it would be a wise alternative to the narrow existing system of dealing with this problem by the enlargement of holdings permanently?—Exactly

26598 As to this 400 acres of land you took up, was that since the Act of 1881?—I should have said it was grazing land, and instead of continuing cattle on it I turned it into tillage, and I had to break it up, in the first instance, of course.

26599 Then it was in your hands all through?—Yes.

26600. I suppose it is all on the eleven months' agreement?—No, it is on a short agreement of my own, drawn up for crops, on certain rigidly laid down lines.

26600a. You cannot extend to the year?—No, not to the year; it is only to the crop.

26601 Chairman.—What is that system called letting out for the crop?—Con-acre; but we give it a name of our own, and call it co-operative con-acre.

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26602. Sir JOHN COLOMB.—You must make this arrangement in order to leave yourself in the position of the benevolent despot?—Yes.

26603. And if the law came to be altered to constitute eleven months' agreement holders as tenants, the system would be destroyed?—Absolutely.

26604. May I ask you do you always give these tillage plots upon the land to the same tenants?—Oh, no; it varies every year. One man may get a rood one year and that man may get two acres next year.

26604A. How much the tenant shall have you absolutely reserve necessarily in your own hands?—Yes

26605. Otherwise the system would not work?—Exactly.

26606. And therefore if the Congested Districts Board adopted your method as an alternative, which seems to me to be a very practical one, they would have permanently to keep control of the land so used for congested tenants?—Yes, it can be seen in full work under what they call the communal system in Belgium, France, Northern Holland, Brandenburg, and I think Wurtemburg.

26607. And is it your opinion that that system is preferable to actually stereotyping certain farms by taking in new land?—Oh, certainly, and I think it is much more useful to the people Take the migratory labourer. He has a house and perhaps a couple of acres of land If he has a family he may go to England or Scotland, and leave, perhaps, his two sons behind. They require a little extra land to rest their own land. If my system is carried out they go to the local Council and say, "We want two acres of the communal land?" It may be so much grass land for the cows or sheep. The father is in England, the sons are working, and his few acres are resting. Next years he won't require two acres of the communal land, he will require much less. You can see it in Belgium where it has worked admirably for years.

26608. Mr. KAVANAGH —What is the farthest distance one of those tenants come from?—Three or four miles, but I don't think that distance would be necessary where you map out your congested area round the grazing land or communal land.

26609. What area would you say such a plan as yours would cover, six miles?—About six miles.

26610. You don't think they would come further?—I don't think so.

26611. Do you actually embrace only six miles?—Or even less.

26612. Sir JOHN COLOMB.—And as an incentive to activity and the educational process I presume it would tend to encourage both by the fact that a tenant who took up the land, and who was neglectful or hopelessly incompetent would not get it again?—That could be made one of the rules of the Commune.

26613. I presume if you found that a man took up a portion and neglected it, or showed his incapacity for working it, you would not let him have it again?—I should be very loth to do so.

26614. Mr. KAVANAGH.—Would it be fair to ask you whether it is better as business letting under the system you describe or letting as grass land?—It came out almost even; but I think the grass was deteriorating, and in grass, I think it very likely, in two years or so, it would come out less. There is one fact I should like to bring out. This is dealing with Leinster, and the land is high rented; but that has nothing to do with it, for the great point is. you must never raise the rent or lower it. You fix the rent upon the land, and you leave the land at that value.

26615. Mr. O'KELLY.—How many have you altogether engaged upon this?—How many men you mean?

26616. Yes?—Well, we began with twenty or thirty; in this year we had 210. The pamphlet will tell you all. I guarantee nearly every word of it.

26617. Mr. KAVANAGH.—The time will come when you must go back to grass?—No; I lay down in grass such pieces as are not rented out, and I give those who co-operated the first chance of obtaining so much of that grass land towards which they have indirectly contributed value by using manure. And what I would like to suggest here is this—I suggested it to the Archbishop of Tuam—that a great number of these communal districts could be created all over the country in such places as Mountbellew, for instance, where I think there are Agricultural Colleges, and the experts in those Colleges would be able to train the tenants in the proper system of working.

26618. Mr. O'KELLY.—Do you get your seeds and your implements also on the co-operative system?—Certainly.

26619. What attitude do the traders of the district take up towards you with respect to that?—I think they could very easily join in it themselves if they chose. It is not necessary to have a co-operative store or anything of that kind. Make the whole thing co-operative between the shopkeeper and the commune. I don't say it is necessary to do it, but it very often works very well. People have got an idea that co-operation must be done from a co-operative shop. I am using it in the sense of each person helping the other, and of course great advantages are to be obtained by using the Raffeisen banks in connection with this system. There is some rough evidence here that I got from the tenants, the people themselves. I collected it during a great number of years, and it will only take a few minutes if you will allow me to read it.

26620. CHAIRMAN —What does it deal with?—Houses, drainage, shelter for cattle, grazing lands, and migration.

26621. Please read it?—It is a very short synopsis of about twenty years' work among the people. I call it fireside evidence. You say what do the people want. First of all, the cry is, when a commission goes round, they want the people themselves to be asked, and not so much the local leaders or aristocracy, as the case may be. The people themselves say they want somebody to come into their cottages and ask them themselves what they want. In trying to find out generally what was the reason of the poverty of the land and the deterioration of the crops the answer is absolutely everywhere the same. The land is continually tilled until it is practically worn out. That would be met by the communal system, because by the communal system you restore the land by resting it. Then as to drainage. Here you would have to have compulsion again. A great number of them say that the bogs which are being cut for turf are so uneconomically cut that the drainage of the water goes back into the bog instead of being taken off it. It should be made absolutely compulsory to cut the bog properly. Of course each man having the same area of turbary should be made to cut the bog in such a shape that the bog itself would do the drainage. They are very strong as to the desirability of shelter for cattle, which rather touches the question of afforestation, as it shows that they would not be desirous of cutting down trees. They are very clear on the fact that there are considerable tracts of permanent grazing land of very low quality, and that these areas are not cultivated and used as far as possible for the small holders of the districts in which they are. On the question how the districts should be treated they are quite clear that every district should be treated absolutely according to itself and not so as to interfere with the next one. You will always find that answer given. Spiddal does not like to be dealt with as Ballycastle. They say, "We have nothing to do with these places, and we would like to be treated for our own districts locally." On the question of emigration the people all say the same thing, "more land and more employment." That of course stands to reason. How would they improve their houses? They would wish to improve their houses by loans from the State or grants as is the case now. Then comes the next question, would they care to give up their holdings when they are very small and go to other parts of Ireland as permanent holders with permanent houses? This is one of the most difficult questions as to which to extract an answer. The answer is yes or no. It varies according to the districts. Some districts are prepared to go. Other districts are determined not to go. In one district the people are prepared to go and take up holdings in any other part of Ireland. In other districts I found that they were opposed to the suggestion of moving even across the road, even though they were in the most abject poverty. A very strong feeling exists in many parts that by far the greatest improvement that could

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be introduced up on the mountains and in bleak districts would be the planting of belts of trees along the hillsides and valleys which would not alone afford shelter and protection, but, as some of them said, would make the climate better, though that is a point I am rather doubtful about.

26622. Sir John Colomb.—The peasants told you this?—Yes.

26622a. That it would affect the climate?—Yes It is a very curious thing; unless you go talk to them you don't know what they do know.

26623. It is often surprising what they do know?—Then what I was continually asking was would the people go as a parish. Suppose there was a particularly badly congested area under one parish priest, would the people all go together. This is a question I am sorry to say I could get very little definite opinion upon. I spoke to a great number of the parish priests and a great number of the people, and there is a general consensus of opinion that it would be right to get them to go by driblets, by ones and twos and threes. Very often there are three houses together, and I have been very careful to try to find out which of the occupiers would go and which remain, and very often when they had agreed as to two who should go, the third would say he wanted to go too. Of course they raise the point that the land was being acquired to be sold in some of the western districts at as high a price as in other parts of Ireland. That was a thing very difficult to combat; and I hardly believe it is the case. Of course if they are correct a lower rate should be obtained, but that is a question I should not like to go into. I am only giving you the rough evidence That is a synopsis of a great number of years evidence taken from house to house.

26624. Chairman.—You know the South Connemara district pretty well?—Yes. I have known it ever since I was a boy.

26625. What do you believe to be the solution for the people of that coast?—Gorumna, Carraroe, and Spiddal are three of the most difficult districts I have come across in my experience

26626. What do you think is the solution?—What I think should be done in the case of those districts is to try and find out how much the turf and fishing industry really make for the people, and having ascertained that try to discover the number of people who are benefited by those two industries, and the extent to which they are benefited, that is, what each man makes out of it, and then I should be inclined to approach parish priests and others of influence in the district, and try to induce them to get the residue, whatever it was, to move on to other land. I don't see any other way out of it.

26627. But then you do think that migration is necessary?—I am strongly in favour of migration in the Spiddal district. I think that is an even more difficult one to deal with than the others, because the people are fairly well off, and from what I am told they have no great inclination to move.

26628. You have watched those people in that district. I have. We had a witness yesterday who said that in his opinion those people ought to be left untouched, as it would be unwise to migrate them at all, and his reason for saying that seemed to be he did not think they had sufficient agricultural knowledge. Have you been watching those people?—Yes.

26629. Have you formed the view that there was any particular reason that they should not succeed when they have been migrated?—No. I think that the agricultural knowledge would come if they were migrated on the scheme I suggest, the communal scheme, because you could put them with the few helpers——

26630. Would you say they work very hard?—They are one of the hardest working people I know anywhere.

26631. And according to the extent of the possibilities of the soil they cultivate they do the best they can?—Absolutely.

26632. If you were to put the best of these men on the good land there is no particular reason—is there—why they should not succeed?—Not at all. I think they ought to do admirably.

26633. Does it not seem hopeless ever really to develop fishing to any great extent on that coast?—That is why I mention my idea of assessing the value of what they get, because I am very strongly of opinion that it would be very unfair to move those people if they don't wish to go.

26634 I don't suppose they would go if they do not wish to go?—I think they are a very valuable race to the rest of the country, and the idea is filtering into the minds of these people by degrees that they can migrate; and I think that there is sufficient work for a certain section of them along the borders of the sea, in the fishing and turf industries, but not for the great number of people that live there now.

26635. Considering the very great congestion, and the enormous number of people who live there, you are never going to develop the fisheries to such an extent that you will find a profitable industry for the great majority of them?—No.

26636. There are no harbours. How are you going to have good fishing without good natural harbours?—There is a good deal of fishing. They do work of that kind. I am quite aware that there is not any very great amount of it; but I should be very loth to move them until it was found that there was absolutely nothing for them to do there.

26637. You would not be very hopeful about making it a busy industrial centre?—I don't think so. It is not the type of country for it.

26638 Chairman.—We have now got to migration?—Yes. May I just say what I think about it, and you can ask me any questions about it. Of course migration is a matter of great difficulty, as I have already explained, but I think it can be done by degrees. If I may venture to say so Mr. Wyndham was perfectly right when he said you must go rather slowly in regard to migration. I think that during the time you are trying to carry out migration if the Congested Districts Board, supposing it still existed, or whatever Board takes its place, would keep the houses improved and assist every now and again when a bad season comes on, and every effort is made also to get the people more new potato seed, new oats, or whatever may be desired, then by degrees you could make a start with one or two families in the particular area with which you are dealing, and the example would eventually be followed. I very strongly deprecate and disapprove of emigration. I look upon the men and women of the West as the finest peasantry I know. They would be of enormous benefit to the rest of the country, and I have already found what a benefit they are if they are helped in the troubles they have at the present time. Those troubles are historical troubles—troubles that have cropped up from the result of the working of history. I shall not detain you more than a minute, but within the last three or four months I came across a most interesting paragraph which I should like to read. I have read a great deal of the evidence given here regarding how the people arrived in the West. Sir Antony MacDonnell and one or two others expressed views as to how the people got there, what their status was, what class of men they were, and why they were in this curious condition. I have found among historical manuscripts a letter written in the time of Elizabeth and sent by Carew to Burleigh. He is referring to my own district—Queen's County. There had been a rebellion there, and he is referring to the arrangements that were made at that time about the rebellion. This is the letter Carew wrote Burleigh: "Our Captaines, and by their example (for it was otherwise painefull) the common souldiers, did cut downe with their swords all the rebels' corne, to the value of ten thousand pound and upward, the onely meanes by which they were to live, and to keeph their bonaghts (or hired souldiers). It seemed incredible that by so barbarous inhabitants the ground should be so manured, the fields so orderly fenced, the townes so frequently inhabited, and the high waies and paths so well beaten as the Lord Deputy here found them. The reason whereof was, that the Queen's forces during these warres never till then came among them." This is the next letter. Sir Arthur Chichester, Lord Deputy of Ireland, in his statement in 1614, of his services, wrote as follows in relation to the removal of the O'Mores and other natives from Leix to complete the 'plantation' of that district under the name of Queen's County:—

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"I have banished the O'Mores with the Dowlyns, Kellies, Lawlors, and other Irishe septes, their ancient followers of the Queene's Countie, and dispersed them into sundrie partes (out of all the province of Leinster) into Conaught and Munster upon consideration that by their greatnes and rebellious they had often disquited and ruyned the English colonies planted there." That is curious, as showing exactly how these people have arrived in the West. I find a number of the West people bearing those names who came from the Queen's County, and I find also a large number of men bearing those names have returned to Queen's County, and I have actually sold to Dowlyns, Kellies and Lawlors within the last four or five years land under the Act, and if you help those people on the same lines there is no reason why the fields should not be as well manured, well fenced, and well arranged, because you are dealing with the decendants of those very people Carew wrote of. My object in putting that forward was because it was a curious historical fact. The whole question is a historical problem. The Scottish problem when the crofters removed to the coast was solved after the troubles by the crofters being removed in regiments to Canada and elsewhere. I look upon the people of the West as the finest peasantry. Both mentally and physically they are excellent. They have very difficult land to deal with, and I cannot help thinking it would be very easy by adopting a commonsense point of view to utilise them for the advantage of the rest of Ireland. To give you an example of how they can be used. I had last year great difficulty in finding labour for some large work in my own county—Queen's County. I applied to some friends in Mayo, and forty Mayo men came down. They had done work in England and had returned to their own homes. They settled down at my home for one month and a half or two months, and I gave them milk and potatoes. They were a magnificent type of men, both physically and mentally. They did the work and went home again. I asked a good many of them if they would care to settle in my county, and they said yes, if they had a good house or cottage.

26639. Sir FRANCIS MOWATT.—Was their work energetic?—Excellent First-rate. My steward, who is a Scotchman, said it was the best work he had ever had done. A very remarkable fact in connection with them was that they refused to eat the food of the country, which was white bread with us. Each insisted upon having meal. These details bear on the whole question. They insisted upon having milk for their drink, and they brought their own provender in the shapes of ground-up oatmeal and flour. My father did the same thing previous to me, and we have got a small colony of western descendants, but they have rather died out. There are at the present time half-a-dozen Galway men living there in Queen's County, but they have lost their identity because of being merged with the rest of the population.

26640. You said you had friends in Mayo. What sort of agency supplied you with these men?—They were men between 25 and 35 years of age, and they were recommended to me by a gentleman on whose estates they had been working. I happened to know two or three Mayo people, and they recommended the men.

26641. Mr. O'KELLY.—What class of work were they employed on?—In drainage work and in cultivation, drainage work mainly. I only brought in the point to show what a really magnificent class of labourers they are if properly employed.

26642. CHAIRMAN.—You said that in your view migration should proceed slowly?—It seems so difficult to force it.

26643. Let me put to you this difficulty. While you are proceeding slowly the grass lands—untenanted lands—which are necessary for any great solution of this question are being purchased rapidly. What steps would you suggest ought to be taken to prevent practically the whole of the land, or some of the land you may some day want for this purpose passing into the hands of ordinary purchasers under the Act?—I confess I have seen that great difficulty. Where you want to get those grass lands in a hurry I suppose one has to be thrown back on the question of compulsion to a certain extent, but I cannot help thinking, even supposing you could not get all the grass lands you would want, that you would find before very long feeding stock on poor grass land would not prove a very paying transaction. One always has to look to the future in these things, and supposing Canadian cattle came in or anything of that kind the men who have these grass lands would be driven to ruin, and they would be very glad to sell their interest for nothing I should think. You asked me a problem; I am giving another problem.

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26644. But my point is this. At present there is a certain amount of untenanted land in the landlords' hands?—Or in the graziers' hands?

26645. I am taking untenanted land, and I mean land which is in the landlords' hands—he farms it himself or lets it out on the eleven months' system?—Yes.

26646. You may buy that land for the purposes of migration, and so long as you have only the landlord to deal with, and you are prepared to pay him a fair price the difficulty is not insuperable, but the longer the process I have referred to is continued the more the land passes into the hands of other people?—Yes.

26647. The Estates Commissioners buy properties in congested districts where a certain amount of enlargement of holdings is necessary. Evicted tenants are put back on the land, and new tenancies are created for sons of tenants. The land is gradually utilised for other purposes than the migration of congests, therefore after a few years you find yourself with very little untenanted land that can be purchased, and if you want grass lands then you have to use compulsion upon the people who have actually bought under the Purchase Acts?—Yes.

26648. You would have to use compulsion in regard to peasant proprietors, men who had with State advances bought, say 100 acres, under the Act. There would be very much greater difficulty in buying from them compulsorily than from landlords whose land is untenanted. When you say migration should proceed slowly I do not suppose anybody is disposed to disagree so far as the fact remains that you must be careful in your experiments, but you have also to bear in mind that if you proceed too slowly the whole remedy will be swallowed up?—Why I said slowly was for two reasons. The first reason which your Lordship sees is the difficulty of getting hold of the land perhaps at the moment, and then, according to my experience, there is the difficulty of getting people to migrate. I read carefully the evidence of Mr. Fitzgibbon the other day, and one thing is perfectly clear. If they do migrate and they become contiguous to another county you will immediately have friction, and a very difficult and very troublesome time. That as why I say you have to move slowly. It might be prevented if you like in this way. If it is thought absolutely necessary by compulsion to carve up the lands which are let on eleven months' grazing in a congested district, or just on the edge of it, you can buy up those lands from the landlord or the grazier or whatever person may be in possession at the time, and the State can hold them temporarily. It must be a State question. You can for the time being work them on the system I have explained, and then let the migrants slowly filter in from the outside.

26649. But that plan, though it may assume slow migration assumes further a very rapid acquisition of grass lands by the State?—I think I am with you there.

26650. Is your view that the State should proceed at once to buy up as much of the grass land as it can get?—Yes. Let the State go into the market.

26651. And buy up all the grass land it can get if possible by voluntary means, and failing that, by compulsion?—Yes. That they should then hold that grass land, let it out on the eleven months' system, or use it for a system of communal farming and proceed to migrate people to it. That is my plan.

26652. Would you go so far as to say that if the State did do that they should set their face sternly against the creation of new holdings for the sons of tenants?—I do not quite follow you.

26653. There are two interests—the claim of the people living in the locality that their sons should have some of this land given them, and there is the far more important claim of the congests from the congested areas to be given greater opportunities for their enterprise?—Yes.

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26654. Do you think if the State bought this land and said, we have bought it solely for the purpose of removing migrants from the congested districts and we will not consider the claim of a local man who happens to be the son of a tenant, and who wants a holding, that that would be satisfactory?—I would not go so far as that, because I think it would be unjust to the local man. If you go and buy a large area of grazing land in Roscommon and there happens to be on that site a certain number of holdings that may be uneconomic holdings——

26655. But that is a different point. I quite admit the first thing you have to do with your grass land is to give a certain amount of it to the enlargement of uneconomic holdings of the people who are contiguous to the grass land You certainly must do that, but then comes in the question of the sons of these people—the sons of the people on these holdings. They say unless we can get land we will have to go to America, and they press the Congested Districts Board or the State to give them part of this grass land and to create new tenancies?—I think you are now going into the question of posterity?

26656. But it is an immediate question?—I agree it is very close.

26657. It is an immediate question. The moment the State gets the land that demand will be made. There will be a demand in the locality by people to get their sons planted there, and to save them from going to America. If you give them land to that extent you are removing the remedy from the congests. What are you to do? Are you to say: "No, we shall hold this land and will not extend the scheme to the sons of tenants. We shall hold this land until we can get a sufficient number of suitable congests"?—I think you would have to fall back again on the communal system. The Belgian communal system says, here is grass land. There are uneconomic holdings round it, so many houses and so many families. Each family is entitled to so much of the communal holdings and to the advantages as regards timber and so on. The father and mother can live on the property, but the younger sons must go because there is no more room on the commune for those people.

26658. But in this case there is a balance of land after you have satisfied the claims of the people who live round the fringes of it, and the whole question depends on what you are to do with that balance. Are you to utilise it in enlarging your commune?—I think you must do it on those lines. To carry your argument to a logical conclusion would be simply this. The State keeps the grass land for the migrant, but it gives a portion of that grass land to the contiguous owners to enlarge their farms. The contiguous owner says, I have sons and daughters and I must have a portion more. If we follow your argument out the son would have a portion of it and his son a further portion. The result would be that in two generations there would be none of the grass land left, and practically the whole district would be congested again.

26659 You mean to say if the claims of the sons and soforth were all satisfied you would get a new congested area?—Yes; because you would have to divide and sub-divide again. Two or three generations of sub-division would again congest it.

26660 Does not that show that you have to draw the line at heads of families?—I quite agree with you there.

26661. You say with regard to the head of a family who has got an uneconomic holding you are willing to give him land which would make his holding economic, but you will not recognise the claim of his son to have a new holding?—No, you cannot do that

26662. And any balance of land you have got is to be utilised for bringing congests from another area. It must be recognised that the younger sons must do what everybody else does, namely look for employment elsewhere. You cannot parcel out land indefinitely amongst holdings?—It is impossible to do so.

26663 Sir Francis Mowatt.—When you have satisfied the uneconomic holder on the grass land, the next interest to be considered is that of the migrant from an uneconomic district?—Quite so.

26664. And any claim of the son of a tenant must come after the claim of a migrant?—Yes.

26665. Mr. O'Kelly.—Do you think the difficulty attending the migration of people is diminishing? In the beginning people had a great objection to migrate from one property to another. Do you think the difficulty is disappearing? People have not now got the same objection to migrate as they had when the Congested Districts Board first introduced migration schemes. They are getting accustomed to them?—They have in some districts.

26666. Do you not think the example afforded by the success of migrants on their new holdings within the last few years will tend to the dispersion of the objections of other migrants to move from one property to the other in the future?—Yes.

26667. Don't you think that if a half-dozen neighbours were moved at the same time to one particular property so that they could carry with them the old associations, that would get over some of the obstacles to migration schemes?—Yes, I think it would. I think the great difficulty is that there is a great deal of jealousy—petty jealousy, and it is a very small thing—but the man who is asked to move is afraid that one or other of his relations is going to be left on the farm off which he is going to be moved.

26668. That is inevitable?—Yes, but it is one of the great difficulties.

26669. It is one of the conditions that he gets the new holding in exchange for the holding he gives up?—Yes. I spent over a week talking to three farmers that lived in three houses, one adjoining the other, and I never could find out, although one agreed one day and maybe two another day—I never could find out which was the one they were going to leave behind.

26670. You will admit it is all a question of bargaining, and the country people can hardly be blamed if they bring the ethics of the fair and the market into negotiations with congested districts officials, but I can assure you that in my county—the County of Mayo—there is scarcely any doubt as to the Congested Districts Board giving them fair play, and I am in almost daily communication with tenants—and that being so, there is very little difficulty in getting them to migrate. I only suggest to you that the example of the success of these men will be an encouragement to the others to migrate by and bye?—Yes, probably.

26671. Sir Francis Mowatt.—I was only going to carry on the subject to the other side of the picture. It has been suggested to you that the unwillingness to migrate is for several reasons diminishing, but as to the indisposition to allow migrants to be brought into the district, what do you say about that?—That is, to my mind, the most difficult of all the problems, because you cannot compel a man who has been living on the edge of a large grass ranch, and who thinks he is entitled, or may have some traditional idea, which is inherent in the people, that his great-great-grandfather had a bit of that grass land and that he must be dealt with—it is very hard to tell him "I am going to bring in a stranger because it is for his good, and I am going to plant him on that piece of land which your great-great-grandfather had two hundred years ago." I think the only person who can deal with that point, if I may be allowed to say so, is the Parish Priest.

26672. I am only asking for information, but do you think that either the Parish Priest or anybody else can in effect render migration possible under these circumstances?—Yes.

26673. You think it can be done?—I do not say the Parish Priest alone, but if men of local influence came forward.

26674 You think that they can at all events make that objection not insuperable to migration?—Quite so. Men of local influence and the Parish Priest, acting together, if they are satisfied they are doing right by their parish and its people, and the people are convinced there is no trick in it—they are always very much inclined to think that some one is prepared to play the fool with them—if they are convinced that really there is no danger to them, and no hurt can come to them by it, then they will not hesitate about moving.

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26675. Sir JOHN COLOMB.—Take the case put to you by Lord Dudley. There are two elements in a big problem. One is the necessity, or the apparent necessity for the State securing the grass lands for the purposes of migration in the future That is the first one. The other is the very obvious fact that to carry out on these grass lands a scheme of migration, must be a very slow process?—Yes.

26676. Therefore that involves a long period of interregnum, and the position of the State would be the position of the biggest grazier in the country?—Not necessarily only a grazier.

26677. The State would have all these grass lands upon their hands. It would have to do something with them?—Yes.

26678. Well, the only thing it could do surely is to graze them, and to let out grazing?—I am sorry to say I have to go back to my communal idea, which is the only way out of the trouble about these grass lands—that where you have an area of grass lands, and a certain number of tenants abutting out on it, the State could apportion of that grass land for the communal work.

26679. The way you propose to meet that difficulty is by applying what you call the communal system?—Yes.

26680. Does not that mean that the holders in the locality of these grass lands are going to get certain advantages during the interregnum of having pieces of land to till?—They may use the advantage until the migrants come.

26681. Would it not have this effect, that you would have, after the purchase of these lands, given these local people advantages they never enjoyed before. When later you are going to put migrants on that land, you will have to take away the advantages conferred upon these local people?—Not necessarily, when the land is under the control or in the hands of the State. Let me put it in this way. All these things have to be done by mapping, because it is a curious fact that if you go to the West——

26682. Do you mind assuming, for the sake of illustration, 500 acres?—Yes, take 500 acres.

26683. With 100 small occupiers on the fringe?—You will find it very often the case in the 500 acres, or nearly always, that quite close to it a large body of grass land is in the hands of the graziers. Abutting on that are these uneconomic holdings. If the State took possession of the whole of those uneconomic holdings and those grass lands, and sold to these uneconomic holders under the Act, it places them then in the position of owners.

26684. But it is as to the balance of land remaining I am asking you?—Quite so. Then the State allows them to come out on to these grass lands in the shape of communal holders.

26685. Do you mean to say the option to go out on these grass lands is only to be conferred on the new occupiers?—The men we take contiguous to the land that is purchased. The State also says, "we will give it to you for short periods, that is eleven months grazing rights on this grass land for your goats and your cows." By degrees these men will have, we will hope, a better system of agriculture, and the State eventually if it chooses, cuts out a line across the map like that. It is all a question of mapping, and these contiguous lands remain with one section for their portion, and the State has the other portion, the margin.

26686. For the migrants?—That is what I want to explain.

26687. CHAIRMAN.—We have dealt with the problem where you have uneconomic holdings only on the north of your map. Supposing you have got uneconomic holdings on all sides?—Then in that case this space of land must belong to the estate. That is the reason why I ask that an estate should be dealt with in areas.

26688. Then you have finally got a communal system by which the whole of the grass land has been of use to people contiguous to it?—Yes.

26689. Then you have to go elsewhere for your migrants?—That is so.

26690. Sir JOHN COLOMB.—Then you block out that area that you have for migration?—Yes, undoubtedly. It is really a question of estates. I think when you arrive on the ground you will find it resolves itself into that.

26691. Supposing there are no uneconomic holdings on the borders of a grass land of 500 acres which has been in the hands of a grazier, and acquired by the State? The State must do something with the land until it re-settles it. It must practically take in grazing?—Certainly.

26692. Then it will be available for the grazing of the locality?—And the people of the district.

26693. But do you see any serious question of policy—of public policy—do you see any danger in the position of the State assuming the holding of the grazing land of Ireland?—Certainly not of the grazing land. I only mean in these particular districts. For instance I never would suggest that they should do the same thing in County Meath.

26694. Well, of lands that were untenanted?—That is a very different thing. If you allow me to say it, that is the reason why I have kept myself so rigidly to the congested areas, and only them. My evidence has nothing to say to the grazing lands of Meath, or any other parts of Ireland except those I mention.

26695. The Chairman will tell you that his question was addressed to you on the supposition that as provision had to be made for relieving congestion outside the congested districts, something would have to be done for having lands available for relieving that congestion?—I believe there are large areas of land quite close to the congested districts without going down to the County Meath.

26696. Mr. KAVANAGH.—I cannot see what objection there can be if the State had to hold these lands and let them out as grass lands. You must buy the grass lands now. They will disappear if you do not. You must acquire them by some means—either by compulsion or otherwise. What objection is there, supposing the State became the largest graziers, as Sir John has put it, in Ireland—what objection is there to that?—I should think the State would be a very bad cattle buyer.

26697. They could employ men to buy for them?—I suppose they could. I see no real objection.

26698. Sir FRANCIS MOWATT.—Were your questions based on the assumption, Mr. Kavanagh, that the State should keep the grass lands and graze them itself, or let them out on the eleven months' system?—

Mr. KAVANAGH.—Oh, either. Whichever would be found the most profitable. Sir John Colomb's point was the great objection that the State should become the largest holder of grass lands in the country. I wanted to ask Lord Castletown what objection there would be to that?—I cannot see any.

26700. Sir FRANCIS MOWATT.—I think Sir John's questions all lead up to this. The State has got this land. The State puts upon part of it the uneconomic holders of the immediate vicinity?—Yes.

26701. There is then a balance which it is not proposed immediately to fill up with migrants. Therefore it allows that balance temporarily to be used by the adjoining tenants, and the question, as I understand it, was—did not that state of things result in this, that the local tenants would have a direct object in keeping the migrants out when they were coming, because then the tenants would have to give up the temporary use of the land which they were enjoying?—Well, I am afraid there would be difficulty I am afraid you must face those difficulties. There is no way out of it. My suggestion about facing them would be to use the persuasive powers of the priests and local authorities

26702. Mr. KAVANAGH.—Whereas if the State kept it all in its own hands there would be no objection; they would not have to take away something later on from the tenants?—No.

26703. Mr. O'KELLY.—You mentioned a grazing ranch of 500 acres?—Yes.

26704. Let me assume that contiguous to that grazing ranch you have a large number of uneconomic holdings, and that if that grazing ranch is not divided amongst them it will be impossible to put an end to their congestion unless you migrate them several miles away. Do you think that to bring migrants from a distance to these 500 acres, and dividing the 500 acres amongst them, would be proceeding upon right lines in trying to solve the problem of congestion?—I am afraid that is a very difficult problem I was only

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put the question by Sir John Colomb as to the 500 acres where the migrant was to come in, and why I suggested a lengthened period for the solution. If you have got 500 acres ready, and if you have any migrants ready, and if you have got—if I may put a possibility—a friendly feeling between the migrants and those with whom they are contiguous, surely you can divide the lands up at once and lose no time.

26705. Suppose you bring in migrants, giving the 500 acres to them, does not that mean that you immediately stereotype the conditions of the small occupiers adjoining the 500 acres?—Not necessarily, because if your migrants were ready, you could easily make your arrangements with the contiguous owners.

26706. What arrangements could you make?—I am afraid the whole question is rather one of give and take, isn't it?

26707. No; it is a very simple question. Let me assume now an area of congestion, or rather let me assume, say, forty or fifty congests living on the borders of this grazing ranch?—Yes.

26708. If that grazing ranch is not divided amongst them—if it is not utilised for the enlargement of their holdings—there is no possibility of their condition being improved. Do you think it is a businesslike way of solving the problem of congestion by the Congested Districts Board, or the Estates Commissioners, or any other body to disregard the requirements of the congests contiguous to the grazing ranch by bringing in migrants from a distance and planting them on the land?—Certainly it would be absolutely wrong. You mean, first of all, if you have a grazing ranch, we will say, outside a congested area, with, contiguous to it, uneconomic holdings. You must, in the first instance, consider those uneconomic holdings that are on the verge, or else we will have the old hereditary feeling of the man who says, "I must get into the particular plot where my great-great-grandfather lived in the time of anybody."

26709. But of course if, after satisfying the wants and requirements of the local people there should be a surplus of land left over, then of course the proper thing would be to bring in the migrants?—Quite so. Then go to the migrants.

26710. CHAIRMAN.—Have you any other point?—Those are my views, and I will now, in a few words, summarise what I have been saying. I looked upon the whole question, as I have tried to explain, by my reference to the letters of Carew and Sir Arthur Chichester, as an historical nemesis. These people were undoubtedly driven off the land—whether rightly or wrongly it is not for us to discuss—from economic to uneconomic holdings. I look upon them as a very valuable body of peasants, indeed, and they are very useful not only for their own labour, but they are very valuable to great parts of England and Scotland for their labour, and I cannot see any reason why they should be carted off to Canada. As far as I can see, the general trend of thought at the present time is rather to anchor the smaller people on the soil wherever they can live comfortably, and be fairly well off. To a certain extent, undoubtedly, it is a Treasury question, because a certain amount of money must be utilised for the purpose, and I cannot think of any worthier way of utilising public money than in trying to redress what I call an historical Nemesis. The people are worth keeping, undoubtedly. The types of the districts are very, very different, and, therefore, you would have to look into absolutely different classes of treatment for remedial work in the various districts. For instance, Belmullet is very different from Spiddal; Lettercroffoe and Oughterard are very different places from Ballycastle and Donegal. Parts of Sligo are different from Roscommon. Gorumna and Carraroe are absolutely different districts from what you would have to deal with in Oughterard. What I want to urge, with all due deference to you, is not to look at the matter from an official, automatic point of view. The Congested Districts Board, if I may be allowed to say so, have done very fine work. They have been very cramped for funds, and I think they had a great deal to learn by experience. It is a very difficult work. I have been twenty years trying to understand it, and I cannot say I understand it thoroughly yet. The proper way would be to look at the matter from an absolutely commonsense point of view, and in that respect it is not a very difficult one. It wants commonsense, it wants patience, and it wants, if I may be allowed to say so, not too much interference from officials, Parliamentarians, and others, because while all the talk is going on these peasants are going away, and there is no doubt they will go as fast as they can. They have got bitten by the idea of living in America. The women who emigrate come back and tell them it is a very nice country, and that it is very bright and cheery, and they are realising their misery in a way that they did not do up to ten or fifteen years ago. I see a very great change in them since I have known them. In one of the districts I know—in Belmullet—there were three or four houses on the Mullet itself which the people actually vacated, or went out of the place, because it was so miserable, although they actually owned the land. The last thing I wish to say is this—that foreign countries have dealt with this problem perfectly sensibly and easily and without any trouble. In Belgium, and especially in the Ardennes, they had exactly the same difficulty, and they settled it; and the whole country is now in a most prosperous and satisfied condition. Curiously enough, in the Ardennes, where I went to study the problem, I saw a section of the old Gaelic race. They talk a language called Walloon, very much akin to the Gaelic, and they are very much akin also in their old ideas about staying on the soil. They are as well off as they possibly could be under the circumstances. They are all owners of their own land, with communal rights in little bits of timber land and that sort of thing. They have very little industries, but they are an agricultural, hard-working, and sensible race; and I cannot help thinking, if the Commission would look upon the matter from that point of view, they would find the solution of the problem a much easier one. I would also like to endorse a good deal of what Mr Fitzgibbon said with regard to the people, because I think he knows them thoroughly well, and I desire to speak strongly as to the good work done by the Congested Districts Board. I apologise for having kept the Commission so long.

Mr. David Talbot-Crosbie.

Mr. DAVID TALBOT-CROSBIE examined.

26711. CHAIRMAN.—Perhaps it would be well for you to read as much as you thought fit of the precis which you have given us,* and then we could postpone cross-examination until to-morrow morning. You have been asked by the Irish Reform Association to give evidence before us?—Yes; a much abused, and I may say much misrepresented association.

26712. Sir FRANCIS MOWATT.—That description applies to every institution we have nowadays?—I hope to enlist the sympathy of the Commissioners. I feel rather at a disadvantage coming after the very able witnesses you have heard for the landlords and for the United Irish League. Of course, my evidence will extend all over Ireland, but it is chiefly as regards Connaught. Most of my life—over thirty-three years—has been passed in Connaught, but I was brought up in Kerry for twenty-four years. I know something of Kerry, but my chief experience has been in Connaught, where I have acted as agent for thirty-three years. Therefore, most of my evidence will be concerned with Connaught.

26713. CHAIRMAN.—What part of Connaught do you know best?—Roscommon. I have had agencies all over Connaught. There was a report of the Irish Reform Association, that we brought out some time ago. We take the same line now as we did then. We have not very much changed. I do not know if your lordship saw one of these reports. I think they were sent to the members of the Commission. It was issued on the 7th of June, 1905. The *ad interim* report of the Estates Commissioners was issued, and we took it up, and reported upon it.

26714. Perhaps you will let us have a copy of it?—Certainly. In that report we found that Connaught was really exceptional, and that while the Land Act had worked well in the other three provinces it was practically a failure as regards Connaught. In the last report of the Commissioners one is met with exactly the same difficulty. The figures bear out exactly the same thing. I give the figures as to the failure of the Land Purchase Act in Connaught as compared with the other provinces. From the report of the Estates

* See page 251.

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Commissioners one finds that in Leinster over twelve millions have been applied for, in Munster over nine millions, in Ulster over eight millions, and in Connaught only two millions. Though practically the Act was, to a great extent, made for Connaught it seems to have absolutely failed there—that is, in proportion to the other three provinces. Therefore, one feels very strongly, as I always have felt very strongly that Connaught requires exceptional and special treatment Before the Land Act of 1903 came out, I pressed that matter most strongly, but there was no special treatment marked out for it.

26715 Sir Francis Mowatt.—To understand the comparison between the four provinces may we take the number of holdings as being anything like the same?—Yes. The number of holdings are: Leinster, 100,790; Munster, 111,880; Ulster, 168,272; Connaught, 109,359.

26716. If the number of holdings had been equal, should Connaught have applied for the same number as Leinster, or how far is that modified by the size of the province?—I don't think it is so much modified by the size of the province, but the holdings are so much larger in Leinster.

26717. Sir John Colomb.—Do you know how Connaught stands in relation to the valuation of the province?—No, but I can easily ascertain.

26718. Is not the valuation very much below the valuation of the other three provinces?—I am not sure, but if you take the figures in the Commissioners report you can very easily compare them with the valuation. I have put down some of the principal causes of failure of the Purchase Act. First, as regards the agricultural holdings of Connaught. Secondly, as regards the grass lands. The crux of the Western problem is not "purchase price," but the best means to adopt to develop the resources of the country, and improve the general conditions of the people; and I think while there is this squabbling about "purchase price," the country is being neglected and what might be done for it is not being done. First, as regards the agricultural holdings, some of the causes of failure. (a) Smallness of majority of holdings, which purchase will not remedy, as they are too small to support a family. (b) The want of sufficient inducement to buy and sell, and the transition stage being so very prolonged. These things combine to check sales very much

26719. Chairman.—What do you mean by not sufficient inducement?—Because if a man is only paying £5 a year and he gets it cut down to £3 10s.; that is not sufficient inducement to him to buy. They say to me, "We have known your honour for a great number of years; we would sooner be under you than under strangers, who will make us pay up at once, while you will give us time."

26720. Then when you get down to a very poor class of holders, whose rent depends upon luck in the crop, good seasons, and that sort of thing, where the margin is cut down to the lowest possible point——?—The margin of living?

26721. Yes. Then the fact that a landlord might give a year or two years to pay up affects the question very much?—Very much indeed.

26722 Would it be that the State makes him pay up within a certain time?—Yes.

26723. If he remains under a landlord he can get into arrears?—No; but he gets time from one fair to another. Sometimes he will make £1 and £2, the difference between the two fairs, which they think a lot about, and rightly.

26724. Mr. Kavanagh.—Under the State they only get two months?—Yes.

26725. Chairman.—Why is it when you find a disposition to buy there are so few estates sold?—I have never found a disposition on the part of the tenants to buy, or on the part of the landlords to sell, in the West.

26726 Sir Francis Mowatt.—You are speaking of Connaught?—Chiefly of Connaught. I have had agencies in other provinces too, but I am speaking chiefly of Connaught. (c) The tenants look upon purchase as a change of landlords without sufficient benefits to them resulting therefrom. If they only get the benefit of the reduction from their rent in their annuity they don't consider that sufficient benefit. Then as to (d): the Estates Commissioners and the Congested Districts Board sitting in Dublin and being out of direct touch with the subject with which they are seeking to deal, I would like to read an extract from Mr. Balfour, who was practically the founder of the Congested Districts Board. He said he "regarded the Board as being in the nature of machinery for giving paternal assistance to the districts too poor to help themselves. He rather conceived the Board as acting as a very wealthy and benevolent landlord. . . . . He did not desire to trammel the action of such landlords by—he would not say red tape, for that was an offensive word—but by minute rules and precedents." Of course paternal assistance, as a matter of fact, is not, as a rule, best exercised at a great distance from the home, and it is very greatly to the detriment of the Board that it should be so far off and not be indirect touch with the people. My own experience of agency work during all the years of agitation was that the reason for being successful was that I was on the spot among the people and thoroughly in sympathy with them, whereas if I had been working up in Dublin I never could have got on. Therefore, if it is to be in the nature of paternal assistance, which it certainly ought to be, it must be worked on the spot, in touch with the people, and not by Commissioners up in Dublin.

26727. Chairman.—Take Mayo. Father O'Hara lives in Mayo?—He is one exception. If we had a few more like him they would be all right

26728 The same thing applies to Dr. O'Donnell. He lives in Donegal, and comes up to the meetings of the Congested Districts Board, seeking out local knowledge?—Yes; but in our district we have no one at all.

26729. Sir Francis Mowatt.—May I ask what you contemplate or indicate in the suggested local association?—I will go into the remedies afterwards. I am just dealing with the disease first. Then (e), neither landlord nor tenant is willing to take the first step towards affecting a sale or a purchase, being afraid it would prejudice the bargain. That is very often the case. They want a third man to come in between them. If either side takes action they always think they are at a disadvantage. It may not be understood outside, but that is the way among us. Then (f), there is the dislike, especially among the old people, of the possibility of having to change their residence. I would like to show a map that I have here as regards that, because when I first went to Connaught, I was on my cousin's, Mr. Talbot's property, which was nearly altogether in rundale, and there was great difficulty in changing the houses. They would not change them at all, even though it was quite close. Here is a map that I made (*produces map*). All the different colours are the different patches of land. They have them all over the townland, and you can see the houses all close together. We offered to build houses for them, and do everything, and not one of them would change the houses even to another portion of the townland. It took me about two years to get them to re-divide this one townland

26730. Mr. Kavanagh.—Perhaps they got the most sheltered spot for their little village?—No

26731. Chairman.—Is the pink all through the map land held by the one man?—Yes. In some cases the strips of land were only two potato ridges wide—no wider than this table. One would not believe it if one had not measured it all one's self. The whole of the lands outside those gardens close by the houses, were absolutely used up and run out.

26732. Have you got a map showing the present condition of it?—I have only got a small one here (*map produced*). It is thirty years ago since this was done. They had to get all their houses in touch with their land in some way.

26733 Sir John Colomb.—Had you to build them?—No. They would not remove out of their houses, so there was no use in building new ones.

26734. Did any of them move?—Not a single one.

26735. How many houses were concerned?—Eleven houses. It was before the Act of 1881. I could not have done it after that Act was passed.

26736. I suppose that the people were very suspicious about everything at that time?—Very.

26737. They did not refuse, because they were not anxious to improve their condition?—No; but they had a superstition; they did not like to remove out of their houses.

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Mr. David Talbot-Crosbie.

26738. Sir FRANCIS MOWATT.—What is the acreage of this?—It is 164 statute acres. £91 was the rent.

26739. Sir JOHN COLOMB.—The effect of the Land Act of 1881 was that the power of landlords to deal with and alter rundale was absolutely curtailed?—Absolutely. I could not do it afterwards. I had all this done before, fortunately. I will have to refer to this map again, but it was just to show the great difficulty in getting them to move their houses. It would have been perfectly simple for me if I could have put a house here and a house there; in that case I could have done it in an hour or so, but it took me two years. Some said I would be shot before the two years were up, but they are perfectly happy and perfectly contented now, and I should be very glad that the Commission would see it in its improved state if they come down to Roscommon.

26740. CHAIRMAN.—Is this in Roscommon?—Yes.

26741. Sir JOHN COLOMB.—Do you consider those holdings now economic?—Yes, except one or two. I gave the best holdings to the best men.

26742. CHAIRMAN.—What do you call economic?—It depends very much on the people and on the quality of the land.

26743. What do you call an economic holding which a man can live on?—Fifteen statute acres would be economic for some men, twenty for others, and thirty for others. You cannot draw a hard and fast line.

26744. Why do you say fifteen would be economic for one man, twenty for another, and so on?—It depends on the nature of the soil and the power that the man has to till. I have seen some men with very small holdings do better than other men with much larger holdings, according to the industry of the man.

26745. That really ought not to be considered?—You have to consider it in Connaught.

26746. I would say that was a wrong way to look at it. What I meant by an economic holding is one which if properly tilled is sufficient to produce a living for a man and his family. The test is one of the inherent capability of the soil, and not of the man?—Certainly. The next is (*g*) indifference on the part of landlords and tenants. Both landlords and tenants in Connaught are very indifferent as regards sales. I never had a single case on any property that I had to manage where I had not to take the initiative.

26747. Mr. KAVANAGH.—This indifference is on both sides?—Yes.

26748. On the landlords and on the tenants side?—Yes. Of course I am speaking from my own experience. It may not be the experience of everyone.

26749. Sir JOHN COLOMB.—Do you think climate has anything to do with that?—I don't think so, but we are not very go ahead in Connaught. I hope we will get better, whether it is the climate or not. I don't think it is the climate.

26750. Would you say that landlords and tenants are more indifferent in Connaught than they are in Kerry, for instance?—Yes.

26751. You would?—Certainly.

26752. Sir FRANCIS MOWATT.—When you speak of the indifference of tenants to purchase does that mean that they are comparatively satisfied with the present position, or only that they don't see any way in which they could improve it—is there great dissatisfaction among the tenants at the present position?—No. I don't find it in the least.

26753. Mr. O'KELLY.—Would that indifference arise from the feeling that if a tenant by a great deal of industry improves his land he might find a tax put on his industry in the fixing of a judicial rent?—No.

26754. Is not that possible?—No. If they thought that they would be very anxious to buy.

26755. I mean when the land is inspected for second term judicial rents if it is considerably enhanced in value by the industry of the tenants, there might be an increase in his rent?—It is quite possible.

26755A. Mr. KAVANAGH.—Is it probable?——

Mr. O'KELLY.—You say it is possible, and, after all, you cannot drop logic with these people.

26756. CHAIRMAN.—What is the next point?—The next is (*h*) want of capital to improve and stock their holdings. That is a great want in the West. The next is (*i*) tenants buying direct from the vendor think they are barred from ever having their holdings improved or enlarged. That is a great hindrance.

26757. Sir JOHN COLOMB.—A great block on tenants buying?—Yes.

The Commission adjourned.

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SIXTIETH PUBLIC SITTING.

WEDNESDAY, MARCH 27TH, 1907,

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; The Right Hon. Sir FRANCIS MOWATT, G.C.B.; WALTER KAVANAGH, Esq., D.L.; CONOR O'KELLY, Esq., M.P.;

and WALTER CALLAN, Esq., Secretary.

Mr. DAVID TALBOT-CROSBIE, examination continued.

Mar. 27, 1907.

Mr. David Talbot-Crosbie.

26758. Sir FRANCIS MOWATT.—Having dealt yesterday with the first part of your evidence we now come to the second part, and perhaps you would deal with that in the same way?—Yes. There was one thing yesterday that I should have told you. That is, the objects of the Reform Association. Its first object is "To encourage co-operation amongst all Irishmen irrespective of creed or class for the development of the country's resources and for the promotion of the welfare of the people." Its second is "to secure for Ireland such effective control over purely Irish affairs as may be compatible with the maintenance of the legislative union between Great Britain and Ireland, and with the supremacy of the Imperial Parliament." We have been rather misrepresented, and other objects put down to us, but these are our objects.

26759. It is rather with the first of those two that this Commission has to deal?—Yes. There was one point yesterday that I did not quite emphasise enough. I mentioned the want of sufficient inducement to buy and sell. I may add the length of the transition stage that exists between the purchase being agreed to and the money being paid, because that is another thing that puts off both buyers and sellers.

26760. How does that affect the buyer?—The buyer pays a higher interest than he will have to pay under the annuity in future when the purchase is completed.

26761. About what is the difference in the rates?—Under the old Act the tenant very often paid 5 per cent. Under the new Act they do not generally pay more than 3½ or 3¾ or 4 per cent.; but a landlord may put in anything. He may put in 5 per cent into the agreement, and the annuity is only 3¼, including the sinking fund. Now, as regards the difficulty in the smallness of the majority of holdings, which purchase does not remedy. The remedy I propose is (*a*) increase the size of the holdings, first by acquiring any grass lands that can be procured either on the estate being sold or in the surrounding district, whether in the owner's hands or let as grazing farms. The size of the holdings should not be stereotyped, but should be regulated by the quality of the land and the suitability of the proposed occupier.

26762. I think I had better consider these one by one. That presumes, I should say, that their policy, so far as possible, is to increase the holdings by adding any other at present untenanted lands to them?—Yes.

26763. Well, now, we have been met by a difficulty; that is the claim of the people in the immediate vicinity; that is to say, the congest immediately adjoining the grass lands may fairly be thought to have the first claim?—Yes.

26764. When he has been satisfied there come two rival claimants, apparently on the evidence we have had before us, one, the migrant who is from some little way off, and secondly the sons of the tenants from the immediate vicinity; and we have had it in a great many statements that these sons of tenants and their interests would make it very difficult, if not impossible, to migrate men from other districts in the county into their districts?—Yes.

26765. Now, give us your opinion as to that?—As regards the sons of tenants, whom do you refer to—the eldest son or the whole family? The eldest son.

Mr. KAVANAGH.—Well, perhaps the second son.

26767. Sir FRANCIS MOWATT.—Well, at all events, a son?—But that may go on *ad infinitum*. Unless I know it is limited to one son, first of all, and whether it is the eldest son of the tenant.

26768. My meaning is as in the case put before us by Mr. Fitzgibbon, that we had one son from each family, not that you should quarter the whole number of sons on the holding but that there should be first the head of the family, and secondly, if there is any more land unassigned, that that should go to one son out of the family of the migrated tenant?—Not the eldest son, this would necessitate providing two holdings instead of one.

26769. Exactly?—Which, I think, would be fatal, as there would not be enough land to make the uneconomic holdings economic.

26770. The disadvantages are obvious, but what I want your opinion on just now is whether you are aware that that is a somewhat widely-held desire?—Oh, yes, I am.

26771. Do you think that the people in the district could be induced to waive that, if persons of influence in the neighbourhood, such as the priest, persuaded them that the holding was for the national good?—To a great extent I think there is a way of dealing with that which I will suggest further on.

26772. If you please. Then I will pass on from that?—Yes

26773. Sir JOHN COLOMB.—When you talk of acquiring grazing lands that can be procured, I suppose you mean acquiring under voluntary arrangement?—Yes.

26774. You would do it from that point?—Absolutely.

26775. We are dealing with congested districts, and do you mean to acquire any grass lands in congested districts or outside?—Outside.

26776. Then, the other point I want to ask you about is this. You refer to those grass lands "Whether in the owner's hands or left as grazing farms"?—Yes.

26777. Now, do you mean lettings on eleven months' agreements or do you mean actual tenancies?—Well, that I deal with in connection with the grass lands, afterwards. I deal here simply with judicial tenancies. I deal with the grass lands entirely under a separate heading afterwards.

26778. And therefore you would prefer my asking that question when you come to that point I suppose?—Yes.

26779. Mr. KAVANAGH.—I quite agree with you that the size of the holding ought not to be stereotyped, but would it not be very difficult for anyone to tell the suitability of the proposed occupier?—I do not think so, not if he was a local man.

26780. And the quality of the land?—We divide all the lands, and give the best holdings to the most suitable men.

26781. But do you not think others would feel themselves aggrieved?—No.

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Mr. KAVANAGH.—Well, you must have great tact and power of persuasion.

26783. Sir FRANCIS MOWATT.—Your second point is that you would proceed by migrating the largest tenants to as far as possible where they would choose to go and giving them sufficient inducement to leave. When you speak of migrating them as far as possible to where they would choose to go, that means the choice of the country they would go to. But when you had bought a piece of untenanted land their option is limited to that?—Well, I am dealing with the thing as a whole, not in patchwork.

26784. "As far as possible where they would choose to go" means in one county or in another county, or at any distance?—Yes.

26785. That would be one of the inducements to them, that the largest tenants might get the best holdings in fact?—Yes, and of course another inducement would be that they would get a larger holding and better land.

26786. And is that what you mean by "sufficient inducements," or have you other inducements in your mind?—I have other inducements as regards draining and things like that; but it is more a question of residence. Men might have friends in one part of the country and sooner go where their friends were.

26787. Do I gather from your wording that you contemplate dealing at once with the whole surface of the country?—Certainly, of dealing with it as a whole, not split up with some direct sales, some to the Estates Commissioners and others to the Congested Districts Board I want one controlling authority. I want to bring the whole thing under sympathetic and direct control.

26788. That is rather the authority through which the purchase is made. But do you contemplate the possibility of applying compulsory purchase to large tracts in Ireland?—No.

26789. You would have to come to terms with each particular owner that might negotiate?—Yes; certainly.

26790. But how is that consistent with dealing with the whole surface of the country?—I do not think there would be any difficulty if it was done by people who really understood it.

26791. On agreements to purchase?—On agreements to purchase. I say there would be no difficulty in doing it if it was properly approached. I am not aware of one of the owners who would not sell and who would not deal perfectly fairly with regard to purchase if he were approached in a fair way.

26792. I am obliged to ask the question here because it underlies the whole of the explanations that are coming?—I do not apprehend any insurmountable difficulty.

26793. May I take it then, that your view is that, given a satisfactory price, that is, a satisfactory settlement with the landlord, you could at once deal generally with the untenanted lands of Ireland, and deal with them *en masse* for the purpose of re-arrangement and migration?—Yes.

26794. Do you think that is possible?—Yes; but of course that cannot be done in a moment, but it can be put in a working way.

26795. Say within two or three years?—I do not say dealing with all the Meath lands and all that, but all the lands connected with the congested districts.

26796. And that they may be simply obtained by the State authority charged with the re-arrangement of land sufficient for the general purpose—that is a question of price?—Yes; and it is not only a question of price. I think it is a question of price and negotiation, and it depends on how it is approached and how it is done altogether.

26797. I will not ask you now, but I shall have to ask you a little later when we come to the details, what you have in your mind as to the proposals for deciding what that price should be?—Yes, certainly.

26798. Sir JOHN COLOMB.—With reference to what Sir Francis has asked you about, your proposal to acquire at once the grass lands suitable for migration, I presume that you recognise that it would take a very considerable time?—It would take some time, not an unreasonable time.

26799. Sir FRANCIS MOWATT.—Just a moment. Assuming that the conditions are favourable and satisfactory, within what period would you consider that they ought to be dealt with?—A great deal would be done as regards purchase, but then you come to migration. I do not think the difficulty is with regard to the purchase of the land for migration. The difficulty is getting the migrant to move.

26800. Sir JOHN COLOMB.—Would you rather that I should put a question on that point now or later on, that in the enforcement of their policy it is obvious that the State would have on its hands for some time this large amount of land?—You can ask me that now.

26801. Have you considered at all what would be the probable consequences of the State being a holder of a vast area of grass lands which could not be applied to the purposes of migration for some considerable time—do you think there would be any risk of agitation if the State did not at once divide amongst the congests and farmers' sons in the neighbourhood the grass lands so acquired?—I think there would be a great difficulty if once you let the sons of the farmers think that they are going to have it, and the labourers too. If once they think that, it seems to me that it will be exceedingly difficult. And I think that is a very dangerous position now and that if once every son of a tenant gets to think that he is to have a holding of land, and every labourer a labourer's cottage with a holding of land added to it, it seems to me that you are in danger of creating the very kind of thing that you are seeking to remedy.

26802. And that there would be very great danger from the public point of view in the State holding for a considerable period considerable tracts of grass land?—If that got into the minds of the people. I do not think it is in the minds of the people yet, unless it is put into their minds.

26803. Sir FRANCIS MOWATT.—Your third point is that you would give to old people who are unable to work their land an annuity for their joint lives and leave them their house and garden, and add their holding to those adjoining That means, as I understand, to create a new interest altogether?—Yes.

26804. That is to say that whatever the benefits of the holding were they would pass to somebody else and that you would practically pension off the old tenant?—Yes

26805. The older generation, when they have ceased to be able to work?—Yes, and refuse to migrate.

26806. Of course you recognise that that is a very expensive measure though it may be impossible to avoid it?—Not so expensive as you think, because for the land that you get from them and add to other holdings you can make the tenants of the other holdings pay an increased rent, because they have to pay no fine for it; they have to buy the tenant's interest. The State buys out the tenant's interest and they give that interest to the holding that is enlarged, and therefore they have a perfect right to put on a percentage on that interest and charge it to the incoming tenant.

26807. But would not such a charge as that force up the annuity of the new tenant at least as high as the rent which the old tenant had been paying?—I think there would be no objection to that as regards the increase He got his own holding at a very considerable reduction, and when he gets an increase of his holding it is a perfectly fair thing to charge him with interest at the same rate on the money which he would otherwise have had to pay.

26808. When you say an annuity for their joint lives, what sort of annuity have you in your mind?—Oh, well, I suppose in the case of a £6 or £7 holding if they got £20 a year and the house and garden they would be very glad.

26808A For each old couple displaced there would be a charge of £20?—As regards the eldest son, I would take the eldest son and give him the farm and leave the old people.

26809. Is it the eldest son to whom the tenancy passes, or is it the son selected by the parent?—It is optional; sometimes the eldest son goes off to America and the second son comes in.

26810. And it is a question of selection?—Entirely a question of selection. I mean ordinarily. If the eldest son stays at home he generally gets it.

26811. Sir JOHN COLOMB.—I should be very glad if you would illustrate this practically. By a garden I suppose you really mean a potato ground?—Yes; a rood of land.

26812. Now, take the congested districts, the holding really consists of a house and potato ground?—Yes.

26813. It is not an acre?—Oh, much larger than that. I am not talking of the congested areas only.

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I am talking of holdings outside congested areas, fringing them.

26814. Do you mean that principle to apply to congested areas?—No; not only to congested areas, but in any part of Connaught, Kerry, or Donegal.

26815. In any part of the congested districts?—Yes; there must be a little give and take in regard to that. Wherever there is congestion you would want to relieve it. I know places where there is congestion within the area and on the other side of the fence it is congested, but it is outside the area, and there is not a bit of difference between them.

26816. But my point, Mr. Crosbie is this, that this proposal of yours, this grant of money for their lives could only come in where the land beyond the amount appropriated to the garden was available for enlarging a holding?—Certainly. I am not talking of a potato garden, because it would be no use to get a potato garden. I mean a holding of perhaps ten or twenty or thirty or forty acres.

26817. And therefore the proposal you have in your mind would only apply to a holding where there is an additional area beyond a potato garden?—Yes.

26818. An addition of a considerable area that would be used for the purpose of enlarging another holding?—The only object of getting the holding would be to enlarge others.

26819. And do you see no difficulty in principle in relieving the eldest son, whose condition you are going to benefit, of the care and responsibility of his aged parents?—No; I do not; because I mean that the eldest son ought to be able to marry and not be kept at home.

26820. And your proposition is that the State would be doing two things; that it is by State expenditure improving the position of the son, and it would also be relieving the son of responsibility as regards his parents by giving them an annuity and a house and garden?—Yes, but the object of improving the position of the son is not to give the son the holding, but for the relief of congestion. It is primarily for the good of the community; not the individual.

26821. Then the improvement of the position of the son is merely an incident?—Yes.

26822. To carry out the policy of enlarging holdings?—Yes.

26823. Sir Francis Mowatt.—Does it not amount to this, if I understand your evidence. It is quite true that the old people receive an annuity?—Yes

26824. But that practically the capital sum for producing that annuity would be a charge upon the whole holding, so that the eldest son would pay the expense of this annuity in the annuity which he pays for the land?—The eldest son should pay a portion as he is relieved of the support of his parents.

26825. But I mean the whole of the holdings?—The whole of the holdings would get the benefit of this and they would pay a very considerable portion of it.

26826. Practically the annuity would be contributed in the main by the increased annuity which would be charged for the new holding?—Not the whole of it, but a great proportion of it.

26827. Sir John Colomb.—I understood you to say to Sir Francis Mowatt that the annuity would approximately amount to £20 a year?—Something like that, perhaps more, perhaps less

26828. Would not that be a very considerable amount to be provided for such a transaction out of two or three small holdings?—I think you are taking up examples of rather smaller holdings than I contemplate, because unless you get a fairly big holding it is not worth while taking it up to distribute amongst others.

26829. Mr. Kavanagh.—Then you can only apply the scheme to large holdings which are worth £20 a year and you take away a house and garden. Do you think the State would be at a loss?—I think in all these things the State must be at some loss if they want to improve the condition of things in Ireland.

26830. Then it would be a very expensive measure?—I do not think so.

26831. The annuity would come off the rates?—I think the Government should be at some loss in doing a thing like this, in settling this Western question which has troubled the country for centuries.

26832. Sir Francis Mowatt.—It would form part of a national old age pension scheme?—No, because you get here a distinct *quid pro quo*. In the other case you get nothing at all.

26833. But under an old age pension scheme the State pays, at a certain age, 5s. a week, but here the 5s. a week which would otherwise be a pension becomes an annuity?—Yes, but I mean that my object is not to provide the old people with a pension, but to get possession of the holding with a view to redistribution to others.

26834. I am sorry to say that whatever the object may be the charge would be the same?—But you get an equivalent. In the other case you get no equivalent whatever.

26835. The fourth point is that the Land Commission should be noticed when an annuitant wants to dispose of his interest?—Of course now the tenant can sell his interest. Under the former Act, the Act of 1881, the landlord had the right of pre-emption. The tenant could sell his interest, but the landlord had to be served with notice. He could not do so legally without serving this notice. Now, I think that the State or whatever body we have dealing with it should receive notice if a man is disposing of his interest, that he should give notice to the Board or whatever body it constituted and that it should have the right of pre-emption; at any rate it should receive notice. Under the Act of 1903 there was no qualification and no new condition put in and therefore the State is unable to impose a condition. That is a question for consideration. Of course, I do not see quite myself why there should not be pre-emption, but that is the difficulty. It might be a hardship on some

26836 Then, as I understand, the proposal would enable the Land Commission to put itself in the place of a landlord where any tenant desired to sell his holding?—Yes, so as to be able to consolidate that holding

26837. Sir John Colomb.—Now, with respect to that, is it not the case that plots of land held under annuities sell at a very high figure?—A very high figure.

26838. And that they might sell at perhaps a wholly unjustifiable price?—Yes, that is the great danger

26839. Sir Francis Mowatt.—However, it will be at the option of the Land Commission to buy?—At the option of the Commission

26840. Sir John Colomb.—Do you think it would have any real result in view of the exceedingly high prices, quite out of proportion to the value, that people give for an annuitant's interest in the land?—They might be able to buy privately before the holdings were put up to auction.

26841. So you mean that there should be a notice?—The same notice being extended to the State that the landlords had. If you put in a migrant you might do what you like as regards the matter and make the right of pre-emption a condition

26842. That is what I am coming to?—Any such proposal as the right of pre-emption ought only to apply in the case of an annuity created by the operations of the Congested Districts Board or other authority, and it should be part of the conditions upon which those migrants are placed upon the grass lands. I think that would be the only way, because then you might insert special conditions.

26843. And if the State spent money on an effort to benefit those migrants, you think it would be only just that in making arrangements care should be taken to reserve powers as regards pre-emption?—Yes The State could save itself in this way: that part of the purchase money should be used to pay off a portion of the charge.

26844. I do not quite follow?—A farmer can sell his interest in his holding for £300. £100 of that would be applied to pay off the purchase money and reduce the purchase annuity.

26845. Do you mean that the State should have a lien on a certain amount of what he receives, to use in liquidation of his debt to the State?—It seems to me the only way you can provide for preventing the rent going up. It would not make much difference as regards price, but the State would be secured at any rate.

26846. What you mean is that there is considerable danger of a purchaser buying an annuitant's holding at a price that really in effect raises the rent of the holding beyond its proper and reasonable amount?—Yes, that is so.

26847. And you look on that as a danger to the State in the future?—Yes. Then you come to the want of sufficient inducements for the transfer of land, to the landlord to sell and to the tenants to buy.

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First, increase, in every possible way, the productive power of the land, first, by arterial drainage; secondly, by reclaiming waste land and paying the tenants for doing it, charging interest at 2¾ per cent. on the outlay as soon as it begins to be reproductive; thirdly, by manuring and encouraging purchasers to keep their crops and feed stock so as to have farmyard manure; fourthly, by striking off the balance of all Board of Works loans that had been paid for over ten years in the case of all tenants who buy and all vendors who sell in Connaught, leaving the occupiers responsible to pay only the maintenance rates. The large drainage work connected with the river Suck, in the counties of Roscommon and Galway comes exceedingly heavy upon tenants and upon landlords, and I think it would be a very great further inducement to the landlords to sell and to the tenants to buy if this tax were paid off, and it is a very complicated question to deal with, in order to sell. I have experience of paying the tax for over twelve years. It is a very big river, which required to be done, and it is very hard on the tenants because they had practically no voice in doing it. They had to pay the charge without at first having any voice as regards the charge being put on.

26848. Mr. Kavanagh.—Are there not many more years?—There are a good many years still to run.

26849. Sir John Colomb.—Now, as to reclaiming waste lands and paying tenants for doing it?—I deal with waste land afterwards.

26850. Would you rather have the question on that postponed?—Yes, because I deal with the waste lands afterwards by themselves.

26851. Then you propose that the State should forgive both to tenants who buy and to landlords who sell, a certain amount of the money that has been advanced by the State?—Yes.

26852. And that is to facilitate purchase, is it?—Yes, a further inducement.

26853. Is not that equivalent to giving both the tenants and landlords, as a bonus, the money spent by the State on their holdings?—Well, I think all these large arterial drainages have a right to be done by the State. You cannot expect the tenants to pay.

26854. And where you say "in Connaught" do you mean only scheduled districts in Connaught or do you mean areas in Connaught that are not scheduled?—Practically the whole of Connaught.

26855. Therefore, you are going to give, because they are in the province of Connaught, to landlords and tenants that are not in scheduled districts, an advantage which no other tenants or landlords in any other province are to enjoy?—Yes, but for the distinct reason that you wish to get hold of the grass lands that you want to distribute amongst others, for the sake of a very great State scheme of migration.

26856. And you think such a proposal would very greatly facilitate the voluntary sale of grass lands in Connaught not in congested areas?—I am sure it would.

26857. But you recognise that it means the State putting its hand deeper into its pocket?—Yes.

26858. But you regard it as necessary?—Certainly.

26859. Sir Francis Mowatt.—I understand you to say then that you regard arterial drainage as the duty of the State and not of the landlords or tenants?—The landlord cannot do it. I mean that ever since the Act of 1881 passed the landlords could not be expected to do anything. They were mere rent chargers, and one never asked them to do anything after that. But before that they used to do a good deal. I know that on my cousin's, Mr. Talbot's, property he spent £15,000 in a few years. The improvements in the way of open drains have all been left derelict. The Act of 1881 came in and the landlords were done away with as regards improving, and nothing was put in their place, and the consequence is that all the improvements that were made have deteriorated. The tenants will never combine to keep long lengths of river and open drains clear.

26860. But, of course, you could not regard arterial drainage as the duty of the State?—Yes, in a country like Connaught, where there is so much poverty and where there are so many small tenants.

26861. And in the case where arterial drainage has been carried out at the expense of the State, the maintenance should be taken over by the State?—Yes, but the maintenance charges should be re-paid by the occupiers.

26862. But any charge as regards additional work done should no longer be borne by them?—Not in these cases where there is purchase.

26863. I do not see how improving the value, as that would be, would be an inducement to the landlord to sell?—The landlord pays a very large charge and the tenant pays a very large charge now. The extinguishing of these charges would be an inducement to both vendor and purchaser.

26864. But relieving the landlord of the charge would, I think, not be an inducement?—You only relieve him conditionally on selling.

26865. It would be a betterment to the purchasing tenant?—It would be better to the purchasing tenant and it would be better to the landlord. He has to pay a certain proportion now and he would get off that payment and he would have that to the good.

26866. Not if his bargain upon purchase is calculated upon his actual net receipts?—That is another question as regards net income. I will go into that afterwards.

26867. We cannot pass that by without taking notice of the fact that if his bargain is fixed with reference to his net income then if you leave him free of any charge on his gross income you improve his net income and so the value on which the calculation is made?—It would come in then, but at present the charge is to be redeemed out of the purchase money. I mean that it would never be redeemed then, it would be forgiven, and therefore that would be an element in the bargain which would have to be considered.

26868. Mr. Kavanagh.—The same principle would have to be applied to railways?—Railways are made for the public.

26869. They benefit both the landlord and the tenant?—Yes, but indirectly.

26870. Main drainage has been recommended by this recent Commission as a work to be done by the State, has not it?—I think it has. I did not read their report yet.

26871. Sir John Colomb.—I should like to ask you a question before you pass from this point of drainage where an area has been drained by arterial drainage and the land thus improved becomes vested in tenant purchasers, do you think it is necessary that some further powers should be given to compel annuitants to maintain the works in which they are concerned—arterial drainage works?—They should pay for the maintenance, but you could not compel them to maintain them. They would have to be maintained by some public body.

26872. But, as a matter of fact, has not your experience been that where a landlord has expended large sums of money in making a great artery to the common advantage of his tenants, until the Land Act of 1881 he could see that his tenants cleared the water-courses and that they kept their drains open and he could enforce it?—Yes.

26873. And that the passing of the Land Act of 1881 took away from him that power?—Yes.

26874. And the effect is in many cases that the money has been wasted?—That is so.

26875. Now, do you, or do you not, think that in this question of arterial drainage it is very necessary for some arrangement to be made by which the State or some other body should exercise the power that used to be possessed by the landlord to see that the tenants kept the works going?—Certainly, and that body should do the work and charge so much for the maintenance.

26876. And would you go so far as to say this, that if the State spends money on arterial drainage as has been done by the Congested Districts Board, that unless there is power vested in some authority to compel the tenants to do their part of the work of maintenance there is great risk of the money being lost?—Yes.

26877. Just the same as the landlords have lost their money by the Act of 1881?—Yes.

26878. Who have, in many places, done large improvements in the way of arterial drainage?—Yes. You can never get the tenants to combine, as a matter of fact, amongst themselves to maintain any work of that kind, or very rarely.

26879. Chairman.—Will you continue?—This is still dealing with small holdings, and I left off at the suggestion I put forward to increase their inducements to buy and to sell. The tenants look upon purchase as

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merely a change of landlords and no special benefit to them resulting therefrom. The changes I have mentioned would remedy that. Then we come to the next point. The Estates Commissioners and the Congested Districts Board sitting in Dublin being out of direct touch with the subject with which they are seeking to deal and the different interests concerned, I think Connaught should be handed over entirely to the Congested Districts Board, which should be remodelled, and confine its work exclusively to Connaught, leaving the other three provinces to be dealt with by the Estates Commissioners, making one Commissioner primarily responsible for each province. The Board should be composed chiefly of members acquainted with the special needs of the West, and it would be better that they should have their meetings, staff, and offices in some central position in Connaught. The Board could, where necessary, have local representatives in the shape of advisory committees, composed of three members elected by the County Councils, and three elected by the Deputy Lieutenants of each county, and four members co-opted by them. The Board will then be more in touch with the people and therefore deal with them in a more sympathetic way.

26880. I cannot quite see the object of that. What do you think are the benefits you would get from an arrangement of the kind which you have mentioned just now?—The greatest possible benefit. I was reading an extract from Mr. Balfour's evidence in which he said the Board was instituted as a paternal Board, to give paternal assistance to those who needed it. I mean that that was the line on which it was founded. It was unofficial. You know in Connaught we have a special antipathy to being dealt with merely officially. One feels that the Board is in a different position. It is in a paternal position, in fact as Mr. Balfour says, to take the place of improving landlords who looked after their own property. And, therefore, they should have special knowledge of those with whom they deal, and be in personal touch with them. As Lord Castletown said yesterday, he had gone personally to the people's houses houses and asked them, and they said they very much preferred to be dealt with personally and directly. I think that is a very great question as regards Connaught. Unless Connaught people are worked sympathetically they cannot be worked at all.

26881. Do you suggest that Connaught people are not worked sympathetically under the Congested Districts Board?—Yes. I maintain that the Congested Districts Board would increase its powers by being more in touch with them.

26882. But you know Mr. Doran, who after all has been already principally in Connaught and seems to be regarded with the greatest confidence?—Absolute confidence. I have the greatest possible confidence in him myself. There is no man in whom I have greater confidence, and he is eminently suited to the work there.

26883. In what way do you say they are not in sympathy?—Oh, he is in direct touch with them, but he is not the Board.

26884. And in direct touch with the Board?—Yes. Perhaps I had better give an instance.

26885. Do?—I had some properties to sell over which I was agent, and they were all in connection with one another, and so I went to the Estates Commissioners, I went to Mr. Finncane, and I said to him, "I have these properties to sell and I think it would be very advantageous to have them under the same control, can I deal with you personally, because I very much prefer to have one man that I can deal with," and he said, "No, I cannot deal with you in that way." And then I went to the Congested Districts Board and they very kindly saw me and I said, "I have these properties to sell and I think they are properties that would be very valuable for working by the Board as there is a good deal of grass land and they ought to be under the same control, not part sold direct to tenants, another part to Estates Commissioners, and the rest to the Congested Districts Board." They fully realised this and said, "We will send down and have a joint inspection of our Board and the Estates Commissioners." I said, "Well, I very strongly object to such an inspection, as it might put me in a great difficulty." However, this comes in about grass lands. But it does not matter, I can go on with it now. The objection is that when an inspector goes down you have practically to sell to him at the price he lays down. I have had a case of it. An inspector went down and he put a price on, which was not anything like the price I could get from the tenants. I went to the Estates Commissioners and they said that they could not interfere and practically they could not upset the decision of their inspector who had been on the lands. Well then, one has no remedy.

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26887. Sir Francis Mowatt.—May I interpose a single question. This price which the inspector arrives at in his own mind is not necessarily communicated to the tenants?—No.

26888. They send down an inspector who looks at the property and forms an opinion. How would that be known?—It would not necessarily be known, but if you are dealing with the Estates Commissioners the inference the tenants draw at once is that the prices the Estates Commissioners have offered you are very much below what you are prepared to take. And therefore you are done; your retreat is absolutely cut off.

26889. Mr. O'Kelly.—How can the tenants on this property know that you are negotiating with the Estates Commissioners?—They see the inspector on the lands.

26890. Chairman.—Let us finish Mr. Crosbie's story. You have not finished it?—Well, I explained this to the Congested Districts Board that really I would rather not have this joint inspection. However, as a matter of fact, they did waive it, and said, "We will direct Mr. Doran to have an interview with you first of all so as to see if you can come to terms as regards sales." I said, "I do not object to inspection afterwards if we can practically almost settle the terms beforehand." I had two long interviews with Mr. Doran and we went closely into details as regards two estates, which would be a guide as to the others, and we had pretty well agreed on a working basis, which Mr. Doran asked further time to consider. I was therefore surprised on the 12th of March last, to receive a letter from Mr. Doran saying, "I submitted to the Board last week a general report of our investigation of the accounts of the M—— estate and have been directed to say that before the Board will make an offer for any of these estates there must be a conjoint valuation by the Estates Commissioners' valuer and the Board's valuer, of the untenanted lands. I informed the Board that you objected to the conjoint valuation, but, notwithstanding, they cannot see their way to negotiate in the absence of it. Under these circumstances it occurs to me that possibly you may not wish to proceed further in the matter, or you may desire to offer the estates to the Estate Commissioners, in which case the valuation would only be made by their staff." Well, a conjoint inspection is a complicated thing. There was one inspector before, but now there are two inspectors to be sent down from these two bodies. If the thing is right in principle surely then it should be reciprocal, but it is not. This joint valuation is not reciprocal as regards the Congested Districts Board and the Estates Commissioners. If the Estates Commissioners buy the property they do not call in an inspector from the Board to a conjoint valuation. Why does it apply in the one case and not in the other?

26891. I do not understand why there should be a joint inspection myself, but the point is this, I understand, that because the Congested Districts Board have asked, and also the Estates Commissioners have asked, or rather have laid down that there should be an inspection for value before you negotiate, that is your reason for saying that the Board do not work sympathetically in Connaught?—That is what I say here. I am willing to sell these estates to the Board and it refuses to deal with me unless it can call in another valuer from another State department, thus further complicating matters.

26892. How can they settle the bargain without seeing the lands?—Because I offered to show them all my books and to show them what my receipts are, and to show them exactly the amount of rent paid for the last twenty years.

26893. Sir Francis Mowatt.—Will that show them that the land is entirely suitable for their purposes without going over the land and inspecting it?—Well, I show them the particulars and if I misrepresented anything they have got inspectors and let them see it. I do not mind inspection as a second step, but I object to inspection for value as the primary step, because it blocks sales.

26894. Chairman.—But there is no other sale under the sun, that you can mention, conducted on such confidential principles as you suggest?—Yes, all the direct sales to the tenants within the zones.

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26895. Those are direct sales from the landlord to people who know the local conditions?—There is a distinction between inspection for value and inspection for suitability.

26896. But what other case is there that you can mention where a man purchases a thing without being allowed to go and see it?—I think there are cases. I have heard of properties being purchased on rental. If you go to sell a commercial business you can show by the firm's books the amount of money that they made for the past year and the debts that they owe.

26897. But then the inspection of farm buildings, for instance?—Well, I do not think they will have very much trouble with inspection of farm buildings in Connaught.

26898. Sir JOHN COLOMB.—But upon this estate were the majority of the tenants judicial tenants?—There are several estates.

26899. I am confining myself to a particular estate upon which this joint valuation and inspection was proposed?—Yes.

26900. And I want to know were the tenants on this estate or a majority of them judicial tenants?—No, it was fairly mixed; some second term and some first term.

26901. But as regards the tenants on that estate, they were judicial tenants?—Yes, but about half of estate is in grass (untenanted).

26902. And did not the difficulty arise purely and simply on the untenanted portion of the estate?—I do not think a difficulty arose at all except because the Board would not accept my suggestion. They did accept it at first, but seem to have now changed.

26903. It was partly tenanted and partly untenanted, was it not?—There were several estates.

26904. But the estate on which the joint inspection was to be made?—Oh, it was to be on all those estates. I think the Commission has now some rule that on every estate that is bought by the Board there is to be a joint inspection, and on every estate that is bought by the Commissioners there is to be only an inspection by their own inspectors.

26905. CHAIRMAN.—I do not understand the point, how your illustration bears very much on the proposal you make with regard to the Congested Districts Board being more in touch with Connaught?—I think it is the Congested Districts Board that should deal exclusively with Connaught.

26906. What you suggest is that the head offices of the Board should be in Castlerea or somewhere in Connaught?—Somewhere in the vicinity.

26907. Then what you have in your mind is that if you had the headquarters of the Board somewhere in Connaught the members of the Board would then have a knowledge of the land, which would enable them to buy without inspection?—Oh, I do not say without inspection. I only objected to the whole thing hanging on inspection.

26908. You see in this case really whether you had the head offices in Dublin or Connaught does not seem to affect the question very much. They have Mr. Doran, the inspector, on whose report they rely, though they have their offices in Dublin, but even if they were on the spot you do not imagine that the members of the Board would trouble to go on the estate themselves. They would naturally have subordinates?—We do not want things done second-hand. We want to have men who will have a personal knowledge of the things to be done and not to have everything left to subordinates.

26909. Wherever you have a Board you must throw on the Board itself the work of deciding on matters of administration, and they must have inspectors for the actual work of inspection and the administrative work done in the offices of the Board?—Yes; but I mean that the Board should come into practical connection with the people in the country where works are required to be done.

26910. And they have now Mr. Doran who represents them?—There is Mr. Doran, but I cannot deal with Mr. Doran now as according to his letter which I read he can only act conjointly, as regards sales, with the Estates Commissioners' Inspector.

26911. But you can deal with the Board?—The Board say you must have a joint inspection.

26912. And how do you know that if they had personal knowledge they would not also say that they wanted inspection?—Well, that I object to. That is what I want to remedy. I do not think the Board want a joint inspection; it looks as if it was being forced upon it.

26913. Is it likely that if they merely removed their headquarters from Dublin to Connaught they would be willing to abolish their demand?—Because my suggestion is that the Congested Districts Board should be confined entirely to Connaught and that they should be perfectly free from any joint inspection with the Estates Commissioners. The Estates Commissioners should have the other three provinces, and therefore there would be no clashing of interests. It seems to me really pitiful that there should be these two Boards which are practically two Government departments forced into competing with one another which can buy land at the lowest price, and that according to evidence given the other day, that they should be trying to cut one another down in prices, whichever would buy land cheapest, and it puts both departments in a very false, very unpleasant and very undignified position.

26914. Sir FRANCIS MOWATT.—But it has been explained that it is of the very essence of the Congested Districts Board that they are not a Government body?—Yes. They were free, but now they are being bound.

26915. Sir JOHN COLOMB.—With a semi-Government department?—With a Government department.

26916. CHAIRMAN.—If in your mind you are convinced that the Congested Districts Board can be made of great service in the settlement of the congested districts and that they are the best people to improve poor estates and to carry out migration schemes in Connaught and that sort of thing, why then should you refuse to allow other congested areas to benefit by this great paternal institution?—Oh, I think competition is the soul of commerce, and I would let the Estates Commissioners try their hand on other congested districts and see which work the best, but let each have their own separate sphere of action, not clashing as at present.

26917. But you have no doubt in your mind as to which is the best, because you want to select one?—I certainly know which is the best now.

26918. And then why should not the other people have that benefit?—We have not had a fair trial of the Estates Commissioners yet, and I wish to give them a fair trial.

26919. Why not permit the people of Donegal and Kerry to come under the body you approve of?—Because it would do away with the test, but I think the Congested Districts Board have set such a good example that others should follow it.

26920. Sir JOHN COLOMB.—You propose to leave out Donegal and Kerry?—Yes, I do not want people to have to rush off to Kerry when they are required in Connaught.

26921. CHAIRMAN.—Does not that mean that if the Congested Districts Board are really to continue their land purchase work one of two things is going to happen. Either they have got to be confined to a smaller area which their present staff can easily deal with or that their funds must be largely increased?—Under any circumstances their funds must be largely increased.

26922. Sir JOHN COLOMB.—Do you appreciate the fact that if the congested districts of Donegal and Kerry and Cork were placed under the Estates Commissioners that, in order to enable them to deal with these places on equal terms with the Congested Districts Board in Connaught, the law would have to be altered, because the Estates Commissioners would have to get extended powers in order to enable them to cover any loss they might make?—Yes; both should have equal powers.

26923. Well, now, it is not merely that you wish to see Connaught handed over to the Congested Districts Board, or the Congested Districts Board confined to Connaught, but you would propose, I see by a paragraph in your statement of evidence, to alter the whole constitution of that body?—No, but I think there ought to be brought in some people who have more knowledge.

26924. You say that it ought to be composed of members knowing the special needs of the West?—Chiefly of members knowing the special needs of the West.

26925. And you propose that each County Council should elect three?—Those are the Advisory Committees that act in connection with the Board.

26926. Very well. You have an Advisory Committee of fifty. There are five counties in Connaught and there are to be three from each County Council and three from——?—From each county there are to

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be three appointed by the County Council, and three by the Deputy Lieutenants.

26927. Three members from each County Council and there are five counties in Connaught?—Yes, but the Advisory Committee would be only for each county.

26928. Then you would have an Advisory Committee of ten for each county?—That might be too much or too little.

26929 But in what way would the Advisory Committee influence, for the better, the present state of things?—If I had an Advisory Committee to go to, I would go to them and say, "You know the estates and what recommendations do you make?"

26930 Then the question of property and all that concerns it, both in regard to the tenure and all the rest, would be subject to the examination of it by the Advisory Committee?—They would know the special circumstances and could advise the Board.

26931. Do you attach extreme importance to this matter of an Advisory Committee?—Yes, extreme importance.

26932. Do you mean they should give advice as to what should be paid for the estates. What are the questions upon which this Advisory Committee in a county could operate? Well, take an estate going to be sold. They would say is that a fit estate for the Congested Districts Board to buy, or is it better to sell direct. Is it composed of grass land or small tenants who want to migrate? Is it partly congested? What drainage and reclamation works require to be done, etc.

26933 Quite so, questions of general policy, but would the question of price come in? Is this Advisory Committee to express an opinion as to what the price ought to be?—I should not think that would come in.

26934 It is inevitable?—No, because this is only an Advisory Council. It is not a Council dealing with the question of price.

26935. Yes; but if they advise such and such a price should be given for the property?—No, I don't think so, they would seem to me to be more in the position of a grand jury. Certain Bills are brought before the Grand Jury, and they say whether they are true bills or not. I think that is only the initial stage.

26936. Mr. Kavanagh.—You are in favour of one body in Connaught?—Only one. Of course the landlords could still sell direct.

26937. That is what I want to get at It is suggested that no direct sales on congested estates should take place?—I do not think so. I think they should be allowed all latitude; but I think when these estates are bought by direct sale the Congested Districts Board should have power to deal with them afterwards.

26938. How could that be after they are sold?—They could migrate the tenants and deal with it in that way after they had got rid of one extra interest.

26939. Chairman —They could deal with that very much better before than after sale?—I don't think so.

Mr. Kavanagh.—I don't see how you are to get over that——

26940. Chairman.—I don't think there is any doubt that the experience of the Congested Districts Board since its creation has been that it is almost impossible to improve an estate without buying it?—Yes; but they could improve it after the estate had been bought.

26941. There would be much difficulty, because in that case the estate would not belong to them; it is sold to the tenants, and if their experience has been to the effect that before the estate is sold it is extremely difficult to improve it, I should think that the same would apply there. They find they cannot go upon an estate which belongs to other people, and begin changing the homes; they find they must have it in their own hands?—Yes, of course; very often the tenants put that difficulty in the way; they say if we buy direct from the landlord we are barred from ever having our holdings enlarged or improved by the Congested Districts Board; but that difficulty should be removed.

26942 Mr. Kavanagh —I was only just going to ask, on that point, whether you are in favour of any direct sales taking place in the congested districts. Say for the reason that it is more difficult to deal with an estate after it is sold than it is before?—Of course I think if the whole system is worked more sympathetically than now the whole thing could be carried out. I do not know any landlord who would make any difficulty about trying to help out a sale, and trying to do it in the best possible way, if he was not cut down in price, or so long as it is understood that the hardest possible bargain is not to be driven.

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26943. Sir Francis Mowatt.—What do you mean exactly by sympathetic treatment?—Well, I mean in contra-distinction to official treatment. In Connaught we hate officialism. I mean we feel there is not much sympathy with us felt by people who are appointed by the Government, and that they have no real interest in us. They come down from Dublin to do their work, and they feel that the sooner they get through their work the sooner they get away and the better pleased they are. We feel that pretty strongly; we like to be treated by those whom we know. If we have the right people dealing with us we are perfectly easy to deal with. But the hard official way goes against us and we hate coercion.

26944. Sir John Colomb.—Is not that attitude of mind just what prevails in all parts of the country as well as Connaught. I ask the question because you seem to think it prevails only in Connaught. And I ask you whether, with your knowledge of other parts of Ireland, it is not precisely the same case?—It makes itself felt more in Connaught. Kerry people are very different from Connaught people In Kerry they do what they are told to do, in Connaught they do not.

26945 Is not that feeling created by a false impression of the manner by which any Government is carried on or by ignorance?—Sympathetic treatment in contra-distinction to mere official treatment is what is needed. I do not in the least complain of the officials. Every official I have dealt with I found exceedingly obliging in every possible way, but the people know they are paid officials, and that they have not the same interest in the people, such, for instance, as those upon the Congested Districts Board. That is the reason the Congested Districts Board has a hold on the people that the Estates Commissioners have not got.

26946. Sir Francis Mowatt.—Is that the reason why there is never any difference between the landlords and tenants?—Where?

26947. Throughout Ireland. They are strictly non-official—they are unpaid?—I don't think there is such difference of opinion between landlords and tenants. I have never had much. I think there is intense sympathy between landlords and tenants. I am in a sort of position in between the two.

26948. Chairman.—You think that the body that deals with Connaught should be a paternal body?—Certainly.

26949. In fact the body that deals with the congested districts should be a paternal body?—Yes

26950. Chairman —Sir John Colomb points out to you that in order to enable the Estates Commissioners to deal with Kerry and Donegal in a paternal way their functions and powers would have to be very much altered?—I think they could do a good deal with the powers they have. The Estates Commissioners, when they came over first, could have done a great deal but they were hampered and hindered by the Treasury.

26951. The Estates Commissioners, from their constitution and methods of procedure, are not the same as the Congested Districts Board, that is they are not paternal?—No, they are not.

26952. Do you think it is possible to mix up the two things?—It is difficult.

26953. You have got the Congested Districts Board in Ireland, which is a paternal Board, and the Estates Commissioners, who are an official department?—Yes.

26954. Do you think you could invest the Estates Commissioners with the paternal powers at present exercised by the Board. I do not mean so far as land purchase is concerned, but with regard to all other work that the Board does. If you are going to separate Connaught from other congested areas you have either got to say you are convinced that the paternal system is not necessary for these other areas, or you have got to take such steps to ensure that such paternal treatment will be given through the medium of the Estates Commissioners?—In my opinion that would be perfectly reasonable, and must be accepted by other people, and therefore, I would give the chance to the Estates Commissioners to try, and if they failed I would get others.

26955. You are not very hopeful that paternal treatment could be grafted on to the present system?—It is rather out of their original line.

26956. Sir John Colomb.—Is it not the conception generally in the West of Ireland that it is the

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business of the State to provide the money, but as to how the money is to be spent, and what rules and regulations are to be made, are matters for unofficial people in sympathy with the people to determine. Is not that the general feeling?—Certainly.

26957. The State must provide the money, and those in sympathy with the people are to have the spending of it?—Yes.

26958. Are you a supporter of the system of Parish Committees?—I do not know much about them.

26959. You have not experience of them in Connaught?—No; I do not think from the constitution of them that they are composed of representative men. I might give you one instance, if you wish, of a particular property in Galway.

26960. CHAIRMAN.—I think we dealt with that?—This is rather as an illustration of what has been referred to as sympathetic treatment. The Athenry district was in a bad state about three years ago. I was agent for one estate there, and it was nearly all under grass. There were only two tenants, and I did not think there was any congestion about that part. It did not look as if there was. So I made an agreement with these tenants that they should buy up this grass land in large holdings. One of the was to give some to his nephews. After I had entered into these negotiations I got a letter from the President of the United Irish League, saying there was a tremendously strong feeling about one man getting so much land, and that the locality was in a state of great excitement about it. The tenant wrote to me, and said he was in great danger of all sorts of things happening to him, and the President of the League, who wrote to me, said he would be very glad if I would see my way to reconsider the matter. I was going away from home at the time, and I wrote to him, and said he had my fullest sympathy, but I did not know there was any congestion, and I would do all I could about the matter, on one consideration, namely, that there should be absolutely no intimidation; that everything of that kind should entirely cease; that this tenant should be no longer threatened or boycotted, or anything of that kind; and if that was done I should do my best to do what they wished in the matter. I went away, and there was no boycotting, and all trouble and difficulty there subsided, and though all the country about there was in a very volcanic state at the time, they remained perfectly quiet. When I came back I went into the matter. I got up the tenant with whom I made the arrangement before, and spoke to him, and he practically let me off the arrangement I had made with him. I said I thought it was necessary where the land could be divided among the people to divide it. Then I wrote to the secretary of the League, and said: I have this large grass farm now upon my hands; I want a certain annuity upon it, and I am perfectly prepared to sell it if you divide it up and apportion the annuity upon it; and if you send me a list of the names of the men you want put upon it I will consider it, and return them. The Secretary of the League then wrote me an exceedingly grateful letter, and said that such a thing had never happened to any branch of the League in Ireland before as to be allowed to distribute a farm of this kind, and that they would proceed to do it at once. They sent me the names of the men, and they divided up the farm most successfully, and I have no possible fault to find with the way they acted in the matter. If I had not done that the whole country would have been in a blaze, and there would have been riots, and probably murder. Then I had great difficulty in getting the matter settled, and it is not settled yet, as regards the Estates Commissioners; and I must say I do not find them very sympathetic, whether because I acted in this way or not I do not know. I think they did not much like my action.

26961. Sir JOHN COLOMB.—What happened to the man who wished to have the larger holding?—Oh, he had plenty beside. I never would have given it to him really if I had known there was congestion.

26962. You cannot say he was sympathetically treated?—Yes, he was certainly. I merely cite that case as an example of where sympathetic treatment avoided very great rows and trouble.

26963. Is that case of sympathetic treatment extended by that body to control and influence the arrangement of private owners?—Doing what?

26964. You gave this as an instance of sympathetic treatment—I presume sympathetic both as regards the League and yourself?—Certainly.

26965. You sympathise with them?—I sympathise with the case they brought before me. I don't say I sympathise with that body.

26966. Quite so; and you found, on examination, that they were justified—that the facts, of which you were not before aware, were as stated. Is that so?—Yes.

26967. You found that they were justified by the production of facts of which you had not previously been aware of?—Yes.

26968. I see; and on the faith of having discovered these facts you felt that the course you intended to pursue was an inadvisable one from every point of view—both from the point of view of the landlord and the district and the country, and not merely as a sop to stop the agitation?—Certainly not; because I told them that most distinctly, and they honourably carried out their agreement. I always recognised them as a body—a self-constituted body—but I did not object to that; and from the very first I found that any case I brought before them they dealt fairly with it. Now on this very map here (*witness referred to a map which he had before him*), there is a piece of land—part of lands that I was re-dividing—one field which was absolutely run out from burning and guano. No one would take it. I manured it, and got it into order, and then everyone wanted to get it, and one man did get it. Then the League made trouble about this man having got it.

26969. Sir FRANCIS MOWATT.—Who did?—The Land League, and they sent him a notice that he was to appear before their committee next Sunday. He came to me in a tremendous state, and said, "Fifteen representatives of the branch of the League are going to sit upon me next Sunday." I said, "I am afraid you are likely to be crushed if that is the case," and he said, "For God's sake, give me a writing or I'll be ruined." I wrote and explained the case, and he took the letter to the meeting of the League upon Sunday, and they allowed the thing to pass and did not take any action against him. Therefore, in any connection I have had with the Land League or with the United Irish League I have not found them to act badly or in an unfair way in anything I brought before them. I only just quote these instances because it is a question of sympathy, and you asked me to quote them.

26970. CHAIRMAN.—Certainly?—As regards the dislike, especially of old people, to migration, the young people might be migrated and the old people given an annuity and left the house and garden for their lives. Mr. Fitzgibbon proposed that the old people should be migrated too, and that the son should get an extra holding, which would make two holdings. My position is this, that the old people if they wished to remain where they were should give up the land and get an annuity for their joint lives, and then that the young people, the eldest son, should get a new holding. That would not involve two holdings. All that Mr. Fitzgibbon wanted was to have the young man provided with a holding on which he could live, whatever son the father chose.

26971. Where there were an old couple with a young son and his wife, living in a congested area, you would remove the young son and his wife to better land and allow the old people to remain in the cottage, distributing the land among adjoining holders?—Yes.

26972. Where does the annuity come from?—The annuity is partly provided by the increased interest that the adjoining tenant would pay upon the increased land he got, for the tenant's interest for which he would have paid nothing. Instead of making him pay a fine you make him pay interest on what would be a fine. That would to a great extent cover the loss of the annuity. I do not say that it would cover it altogether.

26973. That means where a man has a holding enlarged by giving him some land on which other people were living he has got to pay some sort of a fine for that, whereas in the case of a man who has his holding enlarged by the possession of a holding from which other people have all been migrated he would have to pay nothing? Let me put it this way. There are two holdings lying alongside each other, A and B. You want to increase B's holding by getting A's land. You remove A to some other place and put him on new land. A's land is given to B, and B is happy. A little further on there are two of the same kind, A and B. In that case you cannot make a clean sweep

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of the people on A's holding because there are some old parents, and you have to leave them in the house with an annuity. In that case B will only get his land enlarged on payment of a fine which will produce the annuity for these old people. There is an absolute difference of treatment in the two cases?—He will not pay a fine. He will pay increased interest.

26974. He pays more than the other man. There is a difference of treatment for absolutely no reason except that in the one case there is a young family and in the other case there is an old one?—I would certainly insist on the same treatment in both cases. I would never give an increase for nothing I do not think it at all necessary. The tenant should pay something.

26975. Of course he pays a greater annuity to the State, but he pays nothing in the way of a fine?—That is what I say he should pay. He need not pay it in the way of a fine, but the Board dealing with the case certainly should charge something.

26976 They never have. It is quite a new proposal?—Why should a man get a tenant's interest in a holding for nothing at all? There is no reason. They are perfectly well able to pay for it and perfectly willing to pay for it If he gets a holding with the tenant's interest he should pay something for it. If he bought in the open market he would have to pay £400 or £500.

26977. As a matter of fact the tenant's and landlord's interest are combined in the holding when the State re-sells it, and he would probably be paying a higher annuity for the land that was given him to enlarge his holding than he was for the original tenancy?—Not unless you put on a charge for the tenant's interest.

26978. A man lives on A's holding. He lives there some time. He would originally go there by buying the tenant-right and establishing himself here, and afterwards becoming a purchaser under the Act. Under the Act he would buy the landlord's interest?—Yes.

26979. He paid for the tenant's interest before?—Yes.

26980 Now B's holding is brought into the market; the State migrates the holder and gives the land to A. He is given the landlord's and tenant's interest, both which the State has had to buy? Why should he get land for nothing? Why should he have to pay interest only on the landlord's portion? Is he not paying for it in the higher annuity?—If he is it is all right.

26982. The Government has had to buy land in Roscommon to put the holder B on it, and has had to buy landlord's and tenant's interest?—Yes.

26983. B has got these and is paying an annuity to the Government for landlord and tenant interest?—B has migrated.

26984. Yes, he has been put on this land in Roscommon, and is paying to the Government an annuity which represents landlord's and tenant's interest?—Yes.

26985. If the Government are not to make a loss, the land from which B came has got to be sold to A on some system as representing tenant's and landlord's interest, and the interest A has to pay must represent the two?—Yes.

26986. Sir Francis Mowatt.—B has migrated, and he loses the tenant's interest in the holding from which he has migrated?—Yes.

26987. He obtains the tenant's interest in the land to which he has migrated, and he pays an additional annuity which represents the difference between the two?—That is as regards the migrated man who gives up his interest in the land from which A is taken.

Chairman.—The land B had originally come from is given to A, upon an annuity which represents the landlord's and tenant's interest therein.

26988. Sir Francis Mowatt.—Yes, but the annuity is calculated on the two, and he pays that?—It depends upon the amount of the annuity. That is a matter of arrangement, and depends on whether there is a sufficient sum charged to cover landlord's and tenant's interest in the annuity which he pays.

26989. Sir John Colomb.—Are you referring to migrants or congested districts generally?—Generally.

26990. And you propose that the Congested Districts Board should do that?—Yes, where required capital should be advanced for reproductive improvements, also for stocking land when advisable, such advance to be a second charge on the holding.

26991. You mean that every tenant in a congested district should be able to get an advance for improvements at 2¾ per cent from State funds?—Yes, or outside it if required.

26992. And also for stocking when required?—Yes.

26993. Do you put any limit to the nature, extent, or rent of the holding getting this advantage?—That will have to be considered, of course, before any advance is sanctioned

26994. Is this advantage you propose to be limited to the Province of Connaught?—I think it ought to be conferred upon other congested areas too.

26995. I will ask you this general question. Are you aware that if you compare the population in 1881 and in 1901 there is a smaller decrease in Connaught than in any other province?—I was not aware of that.

26996. The greatest decrease of population in those twenty years was in Ulster?—Yes.

26997. And the least in Connaught?—Yes, but I do not think that that does away with the difficulty because the population is there. We want to make provision for the people and to keep them there. We do not want them to go away.

26998 You do not want the people to go away from Connaught as they go away from Ulster?—No.

26999. Or Leinster?—No; we do not want them to leave the country. I have already dealt with the belief among tenants that if they buy direct from the vendor they are barred from ever having their holdings enlarged or improved any such bar should be removed II As to the second main head of my evidence, viz., the failure of the Act to work in the case of grass lands (a) there is the want of any guiding principle by which purchaser and vendor can estimate the price. On pages v., vi., and vii. of the last report of the Estates Commissioners it is stated: "The Commissioners have experienced great difficulty in laying down or discovering any guiding principle by which the adequacy of the security offered by a holding for a proposed advance may be tested, or by which the question of the equity of prices that may be agreed upon can be determined. In dealing with the question of price, as in dealing with that of security, the Commissioners have experienced great difficulty in estimating what would be a fair and equitable price of the landlord's interest which is being sold." As regards price and security, and the difficulty of laying down any principle, there are two divisions so far as security is concerned—the security of the capital and the security of the interest being paid For the security of the capital you have the landlord's interest, which is the only interest that is being sold, and over and above that you have the tenant's interest. Therefore the security of the capital is more than ample. It seems to me that it would be not only a gilt-edged security but almost a solid gold security, there is such an ample margin. And when you come to the question of the annuity, even there there is a very large margin If you take a £20 holding, second term rent, twenty-four years' purchase would be equal to £480, and £480 at 2¾ per cent. would be practically only £13. Therefore there ought to be absolute security for the payment of the £13 as against the £20 paid before. I do not think there is any justification for the talk we hear about the British taxpayer being in danger. There is not the slightest possible danger if you actually go into the figures. There is the most ample security, not only for the capital itself but for the repayment of the interest on the money. Of course the interest is only 2¾ per cent.; the other ½ per cent. is for the sinking fund, for which the land is security, and therefore the Government will not part with the land until they get the annuity paid off. You can only really take into account the interest which has to be paid, which is 2¾ per cent. As to the fixing of price, the Commissioners themselves have had no fixed principle, and they found it exceedingly difficult to get hold of any principle. It is a difficulty which has not been solved, but which ought to be solved. The only means now of deciding price is by inspection on behalf of the purchaser, and if the vendor does not agree to the price fixed by the inspector he cannot split up the grass lands and put in tenants at a higher price, as the inspector's report as to the security will be against him, and the Estates Commissioners therefore could not declare the lands an estate owing to the inspector having previously reported that the security was not sufficient for more than he had already estimated

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it at. Therefore the tenants know, by the vendor not dealing with the Estates Commissioners, that the inspector has put on a lower price, and hence they expect to get the estates at a reduced value. A vendor naturally will not risk putting himself in this dilemma. That is the trouble in regard to inspection, that it very much bars the owner of grass lands from selling.

27000. Sir Francis Mowatt.—He cannot sell at a price above that which the inspector puts upon it?—Certainly. Inspection is a very precarious thing. When I came to Connaught the price of land in Kerry per English acres was just about what it was per Irish acre in Connaught, and if I had come up to value land in Connaught on the Kerry basis I should have been absolutely wrong. Then there is the want of some disinterested medium through whom vendors and purchasers could be approached sympathetically without having their cases prejudiced; and, further, the want of an open market on account of the impossibility of allowing the vendor to sell his tenant-right by auction, as this would bring in new tenants, whereas the land is wanted to enable the uneconomic holdings to be made economic. As to suggested remedies, I would apply different tests of price as in appended schedule.* The general principle is that laid down in the Land Conference report. "IV. That for the purpose of obtaining any such result an equitable price ought to be paid to the owners, which would be based upon income. Income, as it appears to us, is second term rents, including all rents fixed subsequent to the passing of the Act of 1896 or their fair equivalent. V. That the purchase price should be based upon income as indicated above, and should be either an assurance by the State of such income or the payment of a capital sum producing such income at 3 per cent. or at 3½ per cent if guaranteed by the State, or if the existing powers of trustees be sufficiently enlarged. Costs of collection, when such exist, not exceeding 10 per cent., are not included for the purpose of these paragraphs in the word 'income.' VI. That such income or capital sum should be obtainable by the owners (*a*) without the requirement of capital outlay upon their part, such as would be involved by charges for proving title to sell, six years' possession, as proposed in the Bill brought forward in the Session of 1902, appears to the Conference a satisfactory method of dealing with the matter; (*b*) without the requirement of outlay to prove title to receive purchase money, (*c*) without unreasonable delay; (*d*) without loss of income pending re-investment; (*e*) and without leaving a portion of the capital sum as a guarantee deposit." One often hears the term "net income" used in this connection, but net income never comes into the Land Conference terms at all and the expression is most misleading.

27001. Chairman.—In the schedule you hand in,* you have a gross income of £746?—Yes.

27002. How is that made up?—That is gross income received for about ten years. I can give details if you want them.

27003. Can you give us how much of that is first term, second term, and non-judicial?—Yes, I have got it all down.

27004. Can you give it us now?—I think you may take that from me for the moment, and I will give it after; it is among my papers.

27005. Is the fourth typical case you give supposed to show it?—Yes.

27006. But the figures do not come out the same?—No, that is because the one is the rental and the other the actual rents received—the one is cash and the other is the actual rental.

27007. Is it the difference between £727 and £746?—Yes.

27008. Does the entry "Lands in owners' hands, £330" refer to grazing lands?—Not necessarily grazing lands. Some are grazing; on others collops are let in at so much a head, and others again are on the eleven months' system. First, I take, according to the Conference Report, gross income rent actually received, £746, less ten per cent., that is £74, making £672. This £672 capitalised at 3½ per cent., according to the Conference report, gives us £20,677. Mr. Commissioner Finucane's proposal was to take the Government valuation as a basis. I have worked it out in this way. In No. 2, Government valuation of tenanted land is £490. Multiplied by twenty-one years' purchase, that gives £10,290. Government valuation of lands in owners' hands, £322, multiplied by twenty-six years' purchase, gives £8,372. That is £18,662. Adding the bonus, £2,239, to that, you get £20,901, as against £20,677 worked out according to the Land Conference report.

27009. Mr. Commissioner Finucane's proposal is direct sale?—It does not matter to whom it is sold. The price is the same. It is only a question of price here.

27010. The only thing is, is not the bonus affected by the means by which the sale is conducted?—I have added the bonus here.

27011. The bonus is not always payable?—Yes.

27012. On every kind of sale?—Yes.

27013. But not on sales through Judge Ross's Court?—If the property is bankrupt I think it comes under the fortieth section and goes into the Land Judge's Court as a bankrupt estate. But here I am dealing with an ordinary estate, where a bonus is payable. What I want to prove is that all these ways work out at nearly the same purchase price.

27014. You capitalised on grazing rents and rental on tenanted lands alike at 3½ per cent.?—I have done all at 3½ per cent. If you did it at 3½ per cent it is the same proportion. It does not make any difference. I have done them all in the same way.

27015. Sir John Colomb.—I do not understand this item of poor rate in No. 3?—That is on land in the owners' hands.

27016. Is the poor rate on untenanted land?—Yes; on land in the owners' hands. The purchaser would have to pay that. Anything the purchaser has to pay for afterwards you have a right to deduct, and anything you redeem you have no right to deduct at all.

27017. Chairman.—You have given us a summary of the different results?—It is a summary of prices worked out according to 1, 2, 3, 4, 5, 6, and the average of these prices comes to £20,665, which shows that it is perfectly safe without any inspection at all, and that you cannot be very far wrong as regards price since it works out in six different ways to nearly the average figure.

27018. Sir John Colomb.—I want you to explain why you specially mention herd's freedom?—It is a question that has not been touched, but I think it a very important one, because it comes to about 3*s.* 6*d.* an acre, very often.

27019. You put down herd's freedom in number (6) capitalised at 3½ per cent. I want you to explain what you mean by that?—In Connaught grazing holdings have always a herd upon them. This herd always gets what they call collops, so many head of cattle, grazing for the entire summer, and hay for them in the winter, while the calves are allowed to remain until they become yearlings or even up to fifteen months. Besides he gets 2½ acres of land, or perhaps more, according to the size of the farm, and his house free. When the land is sold the herd will not be wanted. Therefore, whoever buys the land will buy this as a distinct asset. It is a very valuable asset, as they can take the herd's holding and let it, or sell it to him.

27020. Then this charge is really compensation to the herd?—No, but the landlord has a right to claim it. He has a right to say, "I am giving my herd so much. He is getting £20 out of the ground now." If you buy the farm you will no longer require the herd. If the herd is still there you can make him a tenant, and then, instead of you paying him £20, he will pay you the purchase money.

27021. Is the herd paid in kind?—Yes.

27022. Is that the universal practice?—Very nearly.

27023. The landlord selling with a herd has got to consider what he will hand over as compensation?—No, because the herd will get a holding on the grass land for which he will have to pay, and he will not be any longer wanted as a herd. He will become a tenant. As a herd he is paid; as a tenant he pays.

27074. Sir Francis Mowatt.—I am afraid the herd will not think you approach him very sympathetically?—Oh, yes, the herd will not object, because he will get a holding instead of a salary.

27075. Chairman.—For which he is asked to pay?—Yes, but he has to work for his salary.

27076. Sir John Colomb.—He gets a permanent farm. What he had before was a temporary farm, and he gets a house and garden?—Yes, but he has not to do any work. The payment was for the work.

27077. I do not think you need go into the figures any more?—No.

* See p. 255.

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27078. CHAIRMAN.—Will you go on?—I will now deal with suggested remedies. Work out price according to method suggested and then inspect as regards general condition of the estate and as regards anything exceptional that would affect the price. If a further inspection is required as regards security the purchaser or vendor should be able to appeal to an absolutely independent tribunal, say, an equity judge.

27079. Sir JOHN COLOMB.—That view is confined exclusively to untenanted land?—No. There are some judicial holdings on this estate, you could not separate the two. But I am primarily dealing with grass land.

27080. Does this include tenanted and untenanted land?—Yes; all those prices are made out on an estate where there are judicial tenants and non-judicial tenants and untenanted lands, it is a typical estate.

27081. CHAIRMAN.—I do not see you really touch the point raised in Mr. Boyd's evidence with regard to mortgages?—I cannot go into that. One has nothing to do with mortgages, because they are paid off. I have only touched the charges on the land, and what it will produce.

27082. One has to consider the point in regard to mortgages. I tried to show Mr. Boyd it makes a great deal of difference so far as the price is concerned whether the landlord's income is estimated as you estimate it in your typical case, No. 1?—That is the Land Conference Report estimate.

27083. It makes a great deal of difference whether the estimate is arrived at in that way or whether you start by deducting from the gross income the interest that is payable on the mortgages and then capitalise on that figure?—Every charge that can be paid off is redeemed.

27084. Ought the State to redeem it or the landlord?—The landlord, certainly. All the charges must be redeemed out of the purchase money. Any charge on the estate that cannot be cleared like maintenance charges or taxes has a right to be deducted.

27085. Take the first typical case. There you make out the landlord's net income as £672?—His income is £672, not his net income. That is his income according to the Conference terms.

27086. What is his net income?—His net income might be anything. It depends on what he likes to pay out.

27087. To arrive at his net income ought you to deduct from £672 the amount he pays as interest on mortgages?—I quite disagree on the question of net income. I do not think it is a thing one has a right to go into at all. I have in my mind free sale and not compulsion.

27088. Suppose compulsion was brought in on those lines. Suppose you were to take the land compulsorily on the basis of income?—You have to take the Conference terms, which define what income is. It is income the land produces. You are selling a definite thing. You are selling what the land produces, and the income is that which the land can produce. I have not been speaking of compulsion. We ought to first exhaust inducement. If you want to have compulsion come to it after you have exhausted inducement. The whole spirit of the Land Act was to work by inducement instead of compulsion.

27089. In estimating what a man's income is you say one has no right to take into account the sum he pays for interest on mortgages?—Certainly not.

27090. And if the result of your finance had the effect of making him richer than he was before?—Then all the better. Certainly that is the spirit of the Act. The landlord should be given as much as possible without loss to the tenant—at least in fairness without loss to the tenant—so that they might be enabled to stop in the country.

27091. You say without loss to the tenant. It is, to a certain extent, loss to the tenant if you do not base your estimate on net income?—Of course if you cut down the landlord's purchase money then you would give it to the tenant at a much cheaper rate, which would make it exceedingly unfair. The man next to him might be paying a much bigger price.

27092. So far as he himself is concerned, why is it unfair that a man should get property as cheaply as he can so long as the previous owner does not suffer an actual money loss?—I cannot see myself that he has any right to.

27093. To do what?—The landlord who has those charges can pay them off at any moment.

27093A. As a matter of fact he has not paid them off?—If that was done the effect would be that he would raise money and pay them off.

27094. Sir FRANCIS MOWATT.—If he raises money, he can only raise it on the land?—He can raise it and get a much cheaper rate of interest. It is ridiculous the interest you pay on mortgages now.

27095. CHAIRMAN.—When you find an estate which is charged with a mortgage why is it unfair that a tenant should be made to pay more than he otherwise would in order that the encumbered landlord may get a sum of money actually in excess of what he enjoyed before?—The tenant is bound to get fair value, and nothing above or below it.

27096. Do you say it is right in principle that the State should advance money for the transfer of land from a landlord to a tenant in order that the landlord should be in a better position than he was before?—I think there is nothing wrong in it.

27097. You think it is part of the duty of the State to do that?—You are going into the question of compulsion now. I do not accept that in the least. I think it would be prejudicial to the country. It assumes the people are unreasonable and cannot be dealt with in a reasonable way. Compulsion is quite unnecessary. We are perfectly willing to deal reasonably if we are met in a reasonable spirit.

27098. Sir FRANCIS MOWATT.—Why do you say 10 per cent. should be deducted from the gross income for the purpose of collection in cases where it considerably exceeds 10 per cent.?—Those are not my own figures. I take them from the Land Conference entirely. My own figures are in No. 3. I do not think the deduction has any right to be made, for agency fees, as they practically have to be redeemed. The 5 per cent charge paid to the agent for collection has to be redeemed in selling the land, as the costs of negotiation fees and law costs come to the same thing, and you put one against the other. I would not put the 10 per cent. against that head. As regards grass lands, I think the head you have a perfect right to put it under is that of taxes. The tenant will pay the taxes when he comes in. Therefore you have no right to charge him for the full amount before deducting those rates. In No. 3 I deduct it in that way. I take the gross income, less poor rate and less drainage maintenance. Those are the two things you have a right to deduct, and in many cases they come to more than 10 per cent.

27099. Will you accept this? Where the price or compensation is fixed on income, then it must be fixed on actual income?—On actual income derived from the land, but not the balance, after you have spent it on different charges. What you are dealing with is what the land produces. That is what you are to sell to the tenants.

27100. That cannot be so, because you yourself say, "less 10 per cent."?—What is received from the tenant is what the landlord receives. On those grass lands the landlord has to pay taxes. Therefore if you are to stripe that up amongst the tenants you must first deduct those taxes, otherwise your tenant would pay double, and that would not be fair.

27101. You and I must agree to differ on this point?—I hope I have made it quite clear what I mean. As to the grass land, the landlord has to pay all the taxes. That is a compulsory and not a voluntary charge. Therefore his income is what he receives after deducting those taxes.

27102. To put it quite shortly, my view is this. Where you calculate the price a man receives on his income it must be on his actual income, and not on his theoretical income?—I do not admit the premise; it is on the actual income the land returns, not on the balance he has after paying all his liabilities.

27103. Sir JOHN COLOMB.—You have pointed out more than once to the Commission that the Land Conference terms, by which you are prepared to abide, says nothing at all about net income?—Absolutely nothing.

27104. Is not this the position: the Land Conference laid down the proposition that the gross receipts from the property, less 10 per cent., should be the standard of purchase price?—Yes.

27105. And your position is that whatever the landlord's private engagements may be they have nothing to do with the position taken up by the Land Conference?—Absolutely nothing.

27106. Does it strike you that confusion may arise from applying the term net income to what is really gross receipts from the property, less 10 per cent. for absolutely necessary compulsory outgoings?—Yes. But

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those compulsory outgoings the Conference terms define, I think, perfectly wrongly, as I think taxes ought to be put in. It is certainly wrong to include the collection of rent. That is practically a redeemable charge It comes out at the other end, as I said before, by having to pay the costs, and having to pay the agent's negotiation fees

27107. Your position is one of adherence to the Land Conference terms. It is the gross receipts, less 10 per cent., and whatever income that brings if capitalised and invested at 3½ per cent.?—Yes—3½ per cent It is the highest limit Nothing could be more clear than the way the Land Conference has laid it out as a distinct principle to be acted upon.

27108. Sir Francis Mowatt.—The Commissioners say in their last report they can find no satisfactory principle?—Of course it is a pretty good test if you apply six tests The average of them ought to be pretty well the price you ought to get.

27109. Sir John Colomb.—To clear this point up about your example. Are we to take this as exclusively relating to untenanted land?—The example I have worked out in this schedule is untenanted and tenanted land It is the fair average of the ordinary estate where the two are together.

27110 Chairman.—I do not think you need say any more on these points?—There is one important point. If there is to be inspection there certainly ought to be the power to appeal.

27111. Quite so?—And that ought to be to an equity judge and not to a law judge. We get too much law and too little equity, I think.

27112. As regards inspection, at present, I understand, the Estates Commissioners, who are really the purchasing body, appoint their own inspectors for value?—I fancy so; but I am not perfectly certain who appoints the inspectors.

27113 But they are officers of the Land Commissioners?—Certainly.

27114. And the Estates Commissioners are Land Commissioners?—Yes.

27115 To that extent they are in the same shop, if I may use a vulgar expression?—Yes

27116. Would it satisfy the landlords?—I am not talking for the landlords.

27117. Would it satisfy the landowners and land agents?—I am not talking for the landowners or land agents I am talking for the Reform Association.

27118 But you are a man who knows the views of the landowners very much on this matter. Will it satisfy the Reform Association if, when an inspection is to take place, there is a valuer appointed by the owner and a valuer appointed by the purchaser, and that these two gentlemen should act together?—That is the old thing of splitting the difference.

27119. Mr. Kavanagh.—That would be the same as the Fair Rent Court, which exists at present?—Yes. In trying to fix fair rents in Ireland like that one found it absolutely unreliable. One always finds in Ireland the landlord appoints one man and the tenant appoints another man, and a third man is called in, and splits the difference between them. It is a very inaccurate way of doing it.

27120. Chairman.—It would be better than the present plan by which you do not even get the benefit of the difference. At present you do not like inspection, because practically the valuer may rule the price?—I see what you mean, that it might be an improvement on the present plan

27121. You would get half of the difference extra?—But still it is not a fair basis of action.

27122. Sir John Colomb.—But you do not object to inspection on untenanted lands?—Yes, I do.

27123. Where there is no question of occupying tenants?—Yes, as a primary thing, I do. The inspector comes down and you cannot split it up into holdings afterwards if you are not satisfied with the price, and sell it to the tenants, because at once the inspector's report is against you.

27124. It affects prospective action?—Yes. When you get the price by the inspector you are safe, but if you do not get it your retreat is cut off.

27125 Chairman.—The next point is the want of some disinterested medium through which the vendors and purchasers could be approached sympathetically?—Yes.

27126 Sir Francis Mowatt.—You developed that a little earlier this morning?—I think so I need not go into that any more The next point is the want of an open market. The Estates Commissioners in their report find some difficulties as regards this on account of the impossibility of allowing the vendor to sell his tenant-right by auction, as this would bring in new tenants, whereas the land is wanted to enable the uneconomic holdings to be made economic. The reply to that is, that as the State has to close the market for the benefit of the community, the vendors should not suffer, but should be compensated by the State for the loss they sustain by being prevented from selling their tenant right in an open market. A certain proportion of such compensation, if not all, could be recovered from new tenants that were not migrated by increasing their annuity. The amount of compensation should vary from about five to ten years' purchase of the equivalent of the second term rent. That is a principle admitted by the Congested Districts Board.

27127. Chairman.—Now we pass to the third main head of your evidence, do we not?—These are merely three descriptions of the different grass lands. (*a*) Those that can be tilled profitably by small farmers I mean by that, land that should give an immediate return. (*b*) Those that would be disimproved by tillage, those are the rich grass lands that go to over £2 an acre, and in regard to which it is very doubtful if they should be tilled unless the agricultural powers of those who did till them were very much increased and developed By the present standard of agriculture I think it would not pay. (*c*) Those that would be improved by tillage. I mean coarse, worn out, furzy, bog and heathy lands where there is a certain depth of soil. Such lands could be tremendously improved by tillage.

27128. Sir John Colomb.—In process of time?—Very soon by breaking and manuring. I was talking to a Scotchman and he has a system by which he manures the land according to the grass seeds he puts down in it. He has tried it for twenty years and it is acknowledged a successful system. He has been speaking at Cambridge about it and he has written about it a great deal. His name is Mr. Elliott, of Springvale. He says by this means you can manure the land without going to the expense of artificial manure at all. A great deal of the land is practically wasted by being burnt and from excessive guano. All that land wants is humus; he sows grass with roots that go down deep instead of being on the surface. They have a mechanical as well as a chemical effect. In that way, when ploughed up, the soil becomes more friable and it creates humus which really manures the land.

27129. Sir John Colomb.—Has he tried it in Ireland?—It has been tried in Ireland, and he told me Mr Barnes went over to see his farm.

27130. What part of Ireland has he tried it in?—I am not sure. He has some property in King's County, but he has not tried it there.

27131. He says it has been tried in Ireland?—Yes. It has been tried in Ireland, but not by him.

27132. With what success?—With wonderful success. He says he never has potato disease.

27133. Could you find out and let us know where it has been tried?—Yes. I have a pamphlet here about it. It is most interesting. That is the one thing we want in Ireland, to restore the land that has been exhausted by burning and guano. If we could once do that it would be a tremendous benefit.

27134. Sir Francis Mowatt.—It is a very old theory. It originated fifty years ago?—Yes.

27135. Chairman.—Will you proceed now?—Coarse heath and furzy land that has never been properly laid down is improved by tillage. Now, I go on to the different methods of using grass lands. (1) Those farmed by vendors never having been rented. (2) Those on which vendor has taken in grazing stock for the summer at so much per head (collops), and where he has meadowed a portion of the lands, selling the meadows by auction. (3) Those let for eleven months (a ruinous system, the outcome of the Land Act of 1870 which legalised dual ownership). (4) Those let as grass farms by lease or from year to year in these cases where they have been held by the same tenant for a great number of years; there would appear to be a certain occupation interest which should be recognised in acquiring such lands. I will now go into the remedies I suggest. First in reference to Class (1)—"those farmed by vendors, never having been rented." It is difficult to estimate the purchase value The Government valuation might, in some cases be a help, or the acreable rent of adjoining lands; in these cases the vendor should be dealt with very

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liberally. It is very hard to ascertain the actual value, because there has been no rent ever placed upon these lands, and therefore it is hard to know what they produce. In reference to the second case (2)—"those on which the vendor has taken in grazing stock for the summer at so much per head (collops), and where he has meadowed a portion of the lands, selling the meadow by auction." The purchase value can be estimated by the average gross receipts for a certain number of years, deducting therefrom taxes and outgoings, and capitalising the net income at 3¼ per cent or 3½ per cent., according to circumstances. I mean by that, the income produced out of the land, that the landlord received. Then as to the third class (3)—"those let for eleven months (a ruinous system, the outcome of the Land Act of 1870 which legalised dual ownership)," the purchase value would be estimated the same as in the case of (2) In each of the above cases where a herd is paid his salary as I mentioned before in kind out of the land, the vendor should be allowed to claim credit for such salary as it is a marketable commodity.

27136. Chairman.—The next point of your evidence is with regard to purchase value, which you say should be estimated at yearly rent payable to vendors, less any necessary outgoings for maintenance, etc, capitalised at 3¼ or 3½ per cent., and you say that the tenant should receive a certain number of years' purchase of the rent for occupation interest, according to circumstances?—Yes.

27137. Sir John Colomb.—About (2) I want to ask you only one question. That would be an impossible basis of valuation of land, though untenanted, but used by the landlord as part of another holding, or as an addition to his demesne. You say—"purchase value can be estimated by the average gross receipts." Is it not to be taken as absolutely certain that where grass land is used by the landlord in connection with perhaps a tillage farm or a demesne it is impossible to estimate gross receipts, because stock is continually changed from one holding to another?—Yes, in (1) you cannot do it.

27138. Chairman.—Now, we get on to the fourth main head of your evidence?—Yes, as regards waste lands and partially waste lands. In that I mean waste under the following four heads:—from (*a*) want of draining and maintaining drains; (*b*) want of cultivating; (*c*) want of manuring; (*d*) burning and excessive use of guano. That map that I have been referring to shows lands that, when I took them up, were absolutely valueless from burning and being overdosed with guano, and now from tilling and manuring they are all right. Then the next class (*c*) refers to over meadowing, and letting meadows by auction, without manuring. My suggested remedies are:—(*a*.) That the Government should at once make arterial drains where required, and deepen existing watercourses and streams, so as to enable thousands of acres of waste lands to be brought under immediate cultivation, and give reproductive employment to the people. There is not the slightest reason why this should not be done this summer. It is really a disgrace to any State or any Government to see thousands of acres practically saturated with water that the tenants cannot make use of, just for want of arterial drainage. The tenants cannot do it, and the landlords are debarred, and the result is that the lands are lying waste. There is plenty of talk of acquiring grass lands, and at the same time the waste lands are absolutely neglected. This question of waste lands could and should be tackled at once—this very summer, and prevent the people going out of the country. Once the water was off them they could till them, and in that way it would mean a tremendous increase to their holdings. Very often it would avoid migration altogether. I know numbers of streams and drains which a few thousand pounds would deepen and relieve the whole country. These are works the Government should certainly undertake, and if it chooses to make the tenants pay a certain percentage afterwards, let them do it, if it is considered fair that they should.

27139. Sir John Colomb.—Your position is that the Act of 1881 having stopped landlords from doing it, it is the business of the State to start somebody else to do it?—Yes; it is a shame that it is not done Look at the great loss it is to the State as well as to the people I feel very strongly about the question of grass lands, but this question of waste lands is one that could be tackled at once, and should have been tackled long ago. You talk about giving employment to the people. This is a work that they understand and are able to do. They have not money to do it themselves, and they have no authority to do it.

27140. But giving them the money to do it and the power to do it would require some legislation so that the State could enforce afterwards?—They could not do the maintenance themselves. The Government would have to keep and maintain them and make the tenants pay a charge.

27141. But I mean if the State spent the money to make these arterial drains, it is necessary to accompany that with some legislation to compel the tenants, as the landlords used to do, to maintain the drainage so done?—That is what I say; the Government would have to make and maintain.

27142. Chairman.—And levy a drainage rate?—Yes, and then levy a drainage rate. I do urge the Commission most strongly to take notice of this fact, because I think it is really deplorable to see the state of our country.

27143. Mr. Kavanagh.—There is already a Commission on that subject, which is about to issue its report now?—Yes, as regards drainage, but not reclamation of waste lands. I think it does not go beyond drainage, but I have not read the report yet, so I am not sure Under the head of class (*b*) I say that the Government should pay the occupiers for reclaiming and cultivating waste lands, charging them with an annuity when they become reproductive, or have the reclamation done, and when completed divide the reclaimed lands amongst the adjoining tenants, charging them with an annuity in proportion to the increased value of the lands. I do not think there could be any loss on that. This can be done at once without any legislation. If it could be done this summer it would be a tremendous advantage. I next suggest, as regards (*c*) that purchasing tenants should be given a certain amount of suitable artificial manure free, provided they, on their part, put out farm-yard manure to a sufficient amount, so that the more farm-yard manure they put out the more free artificial manure they would receive. With reference to class (*d*) which deals with burning, there is not so much burning now as in the past. All the damage has been done in the past, but I would enforce the existing laws against burning. Upon heading (*c*) this system should be in every possible way discouraged—that is, the con-acreing of meadow land without manuring, which has made a tremendous lot of waste land. Some really good land is nearly wasted now from excessive meadowing and con-acreing.

27144. Sir John Colomb.—We have had considerable evidence in Donegal that farmers who have purchased in the North of Ireland let in con-acre and at enormous rents Is that going on in districts you yourself know?—Yes, to a certain extent.

27145. But this impoverishment, due to constant and excessive meadowing, is going on?—Yes.

27146 Chairman.—What exactly is meadowing? Is that letting for hay?—Yes; they let the meadow as it stands, and they let it by auction. Then whoever buys it has to cut it They let it stand as long as possible, and cut it down to the very soil, so that there is very little after grass It is a most ruinous system.

27147. Sir John Colomb.—It was reported to us in Donegal, and instances were given where tenants bought their land very cheaply, and as annuitants to the State, were getting enormous prices for this meadowing which was deteriorating the land. Have you any knowledge of that going on in your district?—No. I was round by Loughrea last autumn, and saw the whole country there under hay-cocks. I inquired the reason, and they said, in very many cases, they had the land striped out, and they had not their fences made; and that that was the reason for part of it.

27148 Chairman.—Can you go on taking hay off land year after year?—You can. After a certain point it does not get very much worse.

27149. But it does deteriorate?—Yes, of course, and you get only half a crop if you do not apply artificial manure. I tried some myself on a bit of meadow which really grew nothing but weeds. I manured it with artificial manure, and it afterwards grew tremendous meadow It became a sheet of clover. It pays over and over again. It pays in almost a year One farmer said to me the other day, "My land is very much better now from the artificial manure I put on it" I said, "Twice as good?" and he said, "Yes, three times as good."

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27150. CHAIRMAN.—I know a lot of land in the North of Ireland for the last five years, and they seem to go on growing hay on it?—Yes, they like to let it grow to the very last moment, and cut it to the very sod, so that they cannot graze it.

27151. I never saw this land grazed That, undoubtedly, is a bad system. Is there no means in Ireland of preventing that being done?—No.

27152. The tenant can go on doing it under the owner's eyes?—Yes, and it is very often the owner does it.

27153. Sir JOHN COLOMB.—You say, "Purchasing tenants should be given a certain amount of suitable artificial manure free, provided they on their part put out farmyard manure to a sufficient amount." Would not that involve the employment by the Government of an immense staff of inspectors and an additional expense to the State?—Yes; that is a paternal system, and it is what you will have to do with Connaught, if you want to do anything with it. It is a difficulty that must be faced. You cannot go on or rather stop still as in the last century.

27154. CHAIRMAN.—Have you any more suggestions under this heading?—No; that is the end of the suggestions in that class. I will go on now to the next head.

27155. You want to say something about credit?—Yes. I want to say as regards the system practised frequently by small farmers of living on credit instead of paying cash, that it is extravagant for the customer and unsatisfactory for the shopkeepers, as they are kept so long out of their money, and, therefore, cannot work on the principle of small profits and quick returns. Credit is the most expensive system to live on. Tenants go into a shop where they have a pass-book. They never settle their account. They do not care what prices are put down so long as they get the things. They just pay the highest possible prices, and they never know how they stand. It is very bad for the tenants and it is very bad for the shopkeepers, who are a tremendously long time out of their money. It is the most extravagant possible system in the poorest possible country, and if anything could be done to combat it it would be a tremendous advantage.

27156. CHAIRMAN.—The difficulty, I suppose, is that nearly all these people are very much in debt to the shopkeeper, and that unless there was some means by which they could pay off their debts they cannot get away from the screw the shopkeeper would put on if they tried to go somewhere else?—That is it; although I must say, as regards the shopkeepers, I have never found them acting harshly or with unkindness to the people.

27157. That is, as long as the man dealt in their shop. If he went off to the rival shop, he might not act so sympathetically?—I do not think you could expect him to do so.

27158. Sir JOHN COLOMB.—There is no legal means in Ireland, such as there is on this side of the water, to lift an accumulated weight of debt off a man by a cheap and expeditious mode of bankruptcy through the County Court?—That I do not know.

27159. My point is this: is it true there is no escape from the Bankruptcy proceedings except in the Higher Courts, at a vast expenditure of money in Ireland. You never heard of a case in the County Court?—No.

27160. But are you aware that in the County Courts in England here there is a simple, cheap, and expeditious means of getting clear before the County Chairman?—I do not know.

27161. Do you not think if there was it would be an immense check on the giving of credit?—It would; but, of course, the giving of credit is a tremendous boon, too, in some cases.

27162. Do you not think that a very bad thing, and that something should be done to stop it?—What I mean altogether is that these tenants never have such a command of cash that they can pay their debts off with. If they were able to get cash at cheap rates it would be well. Often in cases I have helped them out, and I found that they got on all right afterwards if they got a fair start.

27163. Mr. KAVANAGH.—Credit is an absolute necessity to the Irish farmer, is it not?—At the present moment it is, because he has no cash.

27164. And if he did not get credit in the shops he would require a cheap rate of borrowing?—Yes; and the rates they now pay are enormously high.

27165. CHAIRMAN.—You now want to say something on the question of security?—Yes; that is my sixth main heading, the question as regards security for annuities. I would like to say this very strongly at the outset. One has often heard it said that the Irish tenants would repudiate their liabilities. I, from thirty-four years' experience amongst them, absolutely deny the imputation that the Irish tenants are dishonest as regards the payment of rent. I have never found them so, and I have had thousands of tenants going through my hands. They want time to pay often, but they have never repudiated rent, and in the worst time the rent has been paid; and constantly, in the time of the "'eighties," they really paid rent when they paid it at the danger of their lives, and would not take receipts. Therefore, I think it is a gross and unfair libel upon our people to say they would repudiate their liabilities. I do not believe it for a moment. In connection with that I would just like, in order to bear out what I say, to show you a table* I made out to show you how rents were paid in the very worst rent-paying times—1879, 1880, 1881, 1882, 1883, and so on. You will see by No. 1 estate how the table runs. You get the valuation first, then you get the rental, and then you get the rent paid every year, in columns, for 1881, 1882, 1883, 1884, 1885, and 1886.

27166. CHAIRMAN.—Take the first—on a Roscommon estate The gross yearly rental is £5,732?—Yes.

27167. You seem to have been so successful that I see where you got over £5,900—£200 more than the rent?—Yes, that included arrears. Remember this was in the time when everyone was giving abatements. I stood out strongly against abatements. I was the only one in Roscommon that did it. I said to the tenants, "You have got the Land Act, and it is more satisfactory to tenants and landlords alike to appeal to the Land Act, and have fair rents fixed." They said, "We will not get abatements at once;" and I said, "I will take the rent on account and refund anything that you have paid over and above what the Commissioners may fix, so that you can be no losers." The result of my persuasion was that none of them went into court for six years; and during all these bad years, when everyone was giving abatements, you can see the record of what they paid, which shows there is no danger about rents not being paid. I mean there was no undue pressure brought to bear upon them by me. In 1881 they paid more than the year's rent. In 1882 they paid more than the year's rent. I think that was about the time the Arrears Act came in.

27168. Sir JOHN COLOMB.—1882?—I think that must have been the year.

27169. CHAIRMAN.—You apparently got more than the rent in 1881, 1882, and 1883?—Yes.

27170. Sir JOHN COLOMB.—Taking that first figure of rental, what is it now as a result of the operation of fixing fair rents?—It is about £4,778, or about £1,000 down.

27171. Then there would be a deduction of five and twenty per cent. off that for purchase under the zones; and you say that in the worst of times you collected much more as rent?—Yes.

27172. And the deduction you ask us to draw is the absolute security of the State in respect of the annuities being paid?—Certainly.

27173. CHAIRMAN.—Have prices gone up since then?—Prices of cattle?

27174. Yes, prices of cattle?—I cannot say exactly. 1879 was a very bad year, and then 1881. I forget what the price of cattle was then, but in 1881 everyone was giving abatements all round except on these properties I mentioned. Of course we had a great many agencies at that time. I had a partner with me—Mr. Holmes. He was working with me We were collecting about £50,000 a year, and a large number of tenants passed through our hands—about fifty or sixty properties. I just show you that table to point out the security as regards repayment The next table is a comparison of the 1903 Act with the Ashbourne Act, showing the increased benefits under the 1903 Act.† One has heard it constantly stated that the Ashbourne Act is a better Act for the tenants than the Wyndham Act. That is absolutely untrue, and I think you will see from the figures that the Wyndham Act is far and away better than the Ashbourne Act. Take the case of a purchaser under the Ashbourne Act of a farm held at £100 a year and sold at eighteen years' purchase. In that case the purchaser pays an annuity of £72 a year for forty-nine years.

* See pp. 252 and 253.
† See p. 254.

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27175. But eighteen years purchase is a low average?—In comparing one Act with the other it does not make any difference what you put it at. Under the Ashbourne Act at eighteen years' purchase you pay £72 for forty-nine years. Under Wyndham's Act for the first forty-nine years you pay £58 10s. Therefore there is a saving in the annuity under Wyndham's Act of £13 10s.

27176. Mr. O'Kelly.—That is for the first forty-nine years?—Yes.

27177. Chairman.—That would be equivalent to a deduction of 41 per cent. from the original rent?—Yes.

27178. Mr. O'Kelly.—The Ashbourne tenant would have extinguished his liability in 49 years, whereas the Wyndham tenant must keep on paying for 68½ years?—Yes.

27179. Chairman.—The tenant's annuity for the first forty-nine years under the Wyndham Act in the case you have given would be equal to a reduction of 41 per cent., but you don't find many estates passing at a reduction of 41 per cent.?—No.

27180. Then your comparison would not hold?—The comparison works out exactly the same whatever number of years' purchase is taken. That does not make the slightest difference. At the time I was corresponding with the *Freeman* about it it took eighteen years and that is why I took eighteen years' purchase. On that there is a saving of £13 10s. every year, and if that were invested annually at compound interest at 4 per cent. it would in forty-nine years amount to £1,968.

27181. Mr. O'Kelly.—Why do you say 4 per cent.?—I took 4 per cent. because the *Freeman* were pressing very strongly at the time that the landlords could get 4 per cent for their money; so I took them on that ground. If you deduct the balance of the purchase money still due at the end of forty-nine years, that is the balance you refer to which amounts to £900, there would still be a balance to the credit of the tenant of £1,068. The total purchase money under the Ashbourne Act is £1,800. Deduct from that the £1,068 which you have to balance above and you get the total amount paid for the holding to be only virtually £732. That would be as if it were sold for seven years' purchase as compared with eighteen under the Ashbourne Act.

27182. It is a most ingenious argument?—One cannot get out of those figures. Therefore it is absolutely unfair to say that the Ashbourne Act is better than the Wyndham Act. A tenant can pay more under the Wyndham Act and be much better off than he can under the Ashbourne Act.

27183. But suppose that the tenant who bought under the Purchase Act invested the difference between the rent and the annuity under the Ashbourne Act at 4 per cent. for forty-nine years?—It would not take him forty-nine years to pay it off then.

27184. When a tenant under the Ashbourne Act with a rent of £100 buys under the Ashbourne Act at eighteen years' purchase the annuity becomes £72. That is £28 difference. Suppose he invests that £28 difference at compound interest at 4 per cent. would not he have a very nice sum at the end of the forty-nine years?—My tenant would have a still larger sum at that interest. Under the Ashbourne Act the tenant buying on a rent of £100 at eighteen years' purchase pays £72 a year for forty-nine years, whereas under the Wyndham Act if the purchaser paid £72 per annum he could pay off the same amount in about thirty-nine years, which would be a saving to the purchaser under the Wyndham Act of £720, which, if invested at 5 per cent., would give £35 a year in perpetuity.

27185. Five per cent.?—Yes. Any farmer ought to be able to invest his money at 5 per cent.

27186. Where would you get 5 per cent.?—In improving his holding. Used in that way it is ever so much more valuable than it would be to an outsider. If, instead of having to pay this sum in rent, he can invest it in the improvement of his holding it makes a tremendous difference.

27187. Chairman.—You next refer to the punctuality with which the Ashbourne annuities have been paid?—I want first that the comparison between the two Acts should be made clear. Mr. Finucane, the other day, said the Ashbourne Act was about the same as the Wyndham Act, that the Wyndham Act is no better. I sent him these figures, and said if he could controvert them I would accept the statement, but that otherwise I could not accept it.

27188. Sir John Colomb.—Is it your opinion that, supposing there was an alternative of either the Ashbourne Act or the Wyndham Act, the tenants would prefer the one to the other?—After all that has been said about it I think that as a rule they would adopt the Ashbourne Act, because there is so much misunderstanding about it. Any number of them say to me, "We were much better off under the Ashbourne Act," simply because they do not understand it. It has been so hammered in upon them by different people that they were better off under the Ashbourne Act that they believe it.

27189. Mr. Kavanagh.—They are counting by the number of years' purchase without any other guide?—Yes; instead of dealing with the annuity they deal with capital sum. If they applied the annuity under the Wyndham Act as under the Ashbourne Act they would have it paid off in thirty-nine years instead of forty-nine. If they have decadal reductions under the Ashbourne Act it is not paid off for seventy-nine years. It is very hard to get people to go into figures at all. I am perfectly prepared to be upset on that if my figures are upset, but if my figures stand the principle stands. It makes a tremendous difference if the Estates Commissioners go on the assumption in valuing that the Ashbourne Act was better than the Wyndham Act. I think it is a most serious thing. It affects the whole land purchase of Ireland.

27190. Have you anything else to add?—I was referring to the punctuality with which Ashbourne Act annuities have been paid. I have got a list of five tenants here whom I sold to under the Ashbourne Act; and it is a fair deduction that if those high annuities have been so well paid for all these years, that there is no difficulty as regards security. In the first case the man paid 26½ years' purchase. The annuity was above the rent, and he has paid that ever since, and has reared a family on it, besides paying a Board of Works' charge, and he is getting a reduction now.

27191. Mr. O'Kelly.—What would the size of that holding be?—He paid £16 a year. It is about twenty Irish acres

27192. He is now getting a reduction under the decadal system?—Yes. I may say that that tenant was the most unthrifty man I ever came across. There was nothing practically before him but eviction. I told him I would sell to him. I got all his debts together and compounded them, and paid off all the small ones, leaving a certain amount due, and I gave him a certain amount of money to start with, and he started and has got on and has reared his family. I do not think he will ever get on very well, because he is not thrifty, but he has sons, and there are now two young fellows working with him, and I think he will get on. This case shows that the annuity was paid in an extremely bad case. I do not think you could get a worse case, and if he had been evicted he would have been out on the road, and never got back He was in a hopeless state. Of course that is an extreme case. The next tenant paid twenty-two years' purchase. In nearly all these cases I gave help to start them or else they could not have got on; but most of them were exceedingly unthrifty They were the worst paying tenants on the property. I am only mentioning that to show how the annuities have been paid under the Ashbourne Act. There is another one paid twenty-one years' purchase. Another one whose rent was £51 paid nineteen and a half years' purchase. Another whose rent was £30 13s. paid twenty years' purchase. The average there was twenty-two years under the Ashbourne Act. Then it is said that the prices under the Wyndham Act are extravagant because they are twenty-three and twenty-four years' purchase; yet under the Ashbourne Act these men paid twenty-two years' purchase, and they have paid their annuities all through, and all of them are getting on.

27193. Mr. O'Kelly.—The average under the Ashbourne Act all over the country was 18 years, and the average of this Act is 22?—My average here is 22 years' purchase.

27194. You are taking isolated cases?—Five cases.

27195. On the same property?—Yes. Now, as to (*d*), land being purchased in many cases at almost its minimum producing value. I do not at all believe in

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the idea that land is worth nothing. I quite agree with Father O'Hara, who says that "Five-sixths of the tenanted land in the West could be made yield double as much as it is yielding at present. There is scarcely a holding on which the gross produce could not be doubled by an improved system of agriculture, by drainage, reclamation, good manuring, a good variety of crops, and the right class of stock. To many it would be the same as doubling the area of their holdings," and with Mr. Fitzgibbon, who says that land in Ireland does not produce two-thirds of what it might.

27196. Mr. Boyd, giving evidence here the other day, said that 100 acres of grass land would carry 100 cattle, whereas if you divided that 100 acres into four holdings of 25 acres each, these four holdings between them would not carry 100 cattle?—I could not say that. If you have 25 acres you would have to have some tillage. Therefore, I do not think it is a comparison you could make. The object of breaking it up is to have tillage.

27197. To have the people on it?—Yes. That is what I feel very strongly. If you are going to migrate people on to grazing farms where they won't have to till, I think it will be anything but a benefit to the country.

27198. Do you not think under a proper system of tillage these four divisions of 25 acres would be able to carry 100 head of cattle?—Not under the present system.

27199. Could they devise a system by which the result would be brought about?—By house feeding, I think they could.

27200. By house feeding and by having portion of the holding in grass do you think they would be enabled to raise 100 head of cattle on the four holdings?—If the 100 cattle were store cattle. If you put store cattle on you can run them much heavier. If you want to finish them you must run them much lighter.

27201. Anyway you have not considered the question very fully?—I have considered it very fully as regards small tenants.

27202. This particular question?—As regards the proportion.

27203. Yes?—Not per head like that. I do not think he can form a very fair estimate.

27204. Chairman.—I think Mr. Boyd's argument amounted to this. "You have got in your mind mixed farming, but it will not occur. You are going to divide a 100-acre grass farm into four farms of 25 acres. The result will be that they will carry on exactly the same system as at present. They will graze and will not till. Where 100 beasts are fed before they will not be able to do it. Therefore there will not be any gain, but a certain amount of loss"?—That was his view.

Sir John Colomb.—Also this. "The grazing farm will carry perhaps 100 store cattle, and obviously the tillage farms must have a cow and calves and yearlings, and therefore cannot carry 100 store cattle."

27205. Mr. Kavanagh.—The comparison would be hardly fair?—No. As regards security, if the State buys land at almost its minimum producing value, it can, by improving the land, also improve its security, which it ought to do.

27206. Sir John Colomb.—Must not it be also borne in mind in comparing the annuities under the Wyndham Act and the Ashbourne Act that since the latter Act was passed rents have been cut down by some 20 per cent.?—Yes.

27207. Therefore a comparison between the two Acts could not be generally fair, because they are compared on two different bases?—I have taken the basis of a "fair rent" in each case.

27208. Is it not the case, all over the country, especially in the West, that everything is taken off the land and nothing is put into it?—Yes. The next point is (*e*). The general desire to develop the resources of our country and improve the condition of our people, which is the avowed object of all recent legislation. The more these objects are promoted by the State the more it will enhance its security. They will have an increasing security every year, not only on account of the sinking fund being paid, but on account of the improvements being done. The spirit of the Act of 1903 was inducement and not compulsion. If the Act were administered in this spirit there would be no need for compulsion. I feel most strongly against compulsion.

27209. Mr. O'Kelly.—How is it possible to administer the Act if obstacles are put in its way?—I have not a single landlord who will put obstacles in the way if he gets a fair price.

27210. Let me give a case in point. Suppose a landlord refuses to sell any but the occupied portion of his property, and suppose that that occupied portion is in a state of congestion, and that the landlord refuses to sell the grass lands necessary to relieve that congestion, would you say that compulsion should not be applied there?—I have not come across that landlord.

27211. You said very truthfully that it was to help Connaught that the Act of 1903 was primarily passed?—Yes, and it has got less benefit than any other province.

27212. If the avowed object of the Act is to be realised in putting an end to congestion then, given the conditions I have mentioned, what would you do in a case of that kind?—I would like to try persuasion first.

27213. Suppose you used all the persuasion, of which I am sure you have got a considerable store, and you failed, what would you do then?—I would go on with those whom I could induce to sell, sooner than apply the principle of compulsion all over the country.

27214. I do not say apply it all over the country, but apply the voluntary system first. In regard to a large number of landlords I do not say that the voluntary system will not be effective; but suppose you have cases where the voluntary system proved absolutely ineffective?—I do not like dealing with suppositional cases.

27215. I have a case in my mind. I do not want to mention it. Do not you think if that landlord was properly got at he would yield to persuasion?—I think it is very often a question of price. That is the difficulty. It is a question of sufficient inducement, and you must be prepared to give him an inducement. I stood out against compulsion being brought into the Wyndham Act, and I think it did some good, because Mr. Russell was the great exponent of it and I think he came round as regards it.

27216. Chairman.—Did you read Mr. Commissioner Wrench's evidence?—I did not read it all. It was so hard to read everything.

27217. I think Mr. Wrench told us that out of 500 inquiries sent out as to the willingness of people to sell only 82 replied?—I can quite imagine that, because how was it going to be done? I am in this position now myself. What am I to do as regards these properties I am seeking to sell? I am perfectly willing to deal with them if I am allowed. There is no one to deal with directly. I am invited to deal with three Commissioners, whom it is very difficult to get together. I tried the whole of one day, but failed, though I saw each one separately, so I have not tried since. If one could deal with any one of the three it would very much simplify matters. The inspector goes round to deal with them. One has to deal with all officials afterwards.

27218. A reasonable department won't buy without seeing the estate?—I do not wish them not to see the estate, but I want them to go into the figures connected with the estate first.

27219. Mr. Kavanagh.—You suggest a plan by which the annuities of the old people should come out of the enhanced prices?—Part of it.

27220. I suggest to you that the whole of that is credited now to the migrant, the son, who is given a new holding?—Yes.

27221. He is charged landlord's and tenant's interest, less the surrender value of his old holding. B who buys the holding which A has surrendered, pays the interest on the surrender value. Consequently all your annuity from it disappears?—It is taken off beforehand.

27222. Yes?—But that is in cases where no annuity is given to the old people, and the son has to support them, but when he is relieved of their support and they get an annuity there is no reason why he should

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get credit for the surrender value of his father's holding till the annuity drops.

27223. Sir John Colomb.—You advocate the State acquiring untenanted land by voluntary sale and purchase. Do you not think there would be an objection to the landlord parting with the grass lands with the rest of the property left on his hands?—If the landlord is going to part with any it is better that he should part with the whole.

27224. You have put before the Commission a proposition that the State should acquire the grass lands?—Yes.

27225. But do you not think there would be a reasonable objection on the part of landlords to part with their grass lands only and be left with their tenanted land on their hands?—I don't think that that should be done.

27226. Then your proposition to acquire the grass lands means acquiring the rest of the property too?—Yes.

27227. That is what you mean?—Certainly.

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27228. Mr. O'Kelly.—Has any case ever occurred in which it was proposed to acquire grass lands from a landlord, leaving the occupied portion on his hands?—Never to my knowledge.

27229. One of the best objects of acquiring the grass lands would be to enlarge the occupied portions of the property?—Yes.

27230. And we have no precedent for the case that Sir John assumes?—None that I know of.

Chairman.—That is the end of your evidence?—Yes, my lord; and I thank you and the other members of the Commission for the sympathetic hearing that has been so kindly given to me as a representative of the Irish Reform Association, and in conclusion I cannot urge too strongly that the spirit of the Act of 1903 was inducement—not compulsion—and if the Act is administered in this spirit there will be no possible need for compulsion; we in Ireland are not unreasonable, and we ask to be dealt with only in a reasonable way.

The Commission adjourned.

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SIXTY-FIRST PUBLIC SITTING.

THURSDAY, MARCH 28TH, 1907,

AT 11.0 O'CLOCK, A.M.,

At Winchester House, 21, St. James's Square, London, S.W.

Present:—The Right Hon. the Earl of DUDLEY, G.C.V.O. (Chairman); The Right Hon. Sir JOHN COLOMB, K.C.M.G.; CONOR O'KELLY, Esq., M.P.;

and WALTER CALLAN, Esq., Secretary.

Mr. ALEXANDER CRICHTON examined.

Mar. 28, 1907.

Mr. Alexander Crichton

27231. CHAIRMAN.—I think you appear on behalf of the Irish Reform Association?—Yes.

27232. Perhaps you would kindly go through your precis, and we can ask any questions that arise?—Very well. I base my conclusions mainly on a consideration of two facts. Firstly, that the Congested Districts Board has been extremely successful, but that it is in urgent need of larger funds and of even greater powers. Secondly, that the non-scheduled parts of Ireland also require fostering care, but that whatever assistance may be be given to them should be of such a nature as to demand a greater call on the spirit of self-help than would be expedient in dealings with the poorest of the poor. Then my recommendations may briefly be stated as follows:—1. Strengthen the Congested Districts Board; give it enough money to accelerate its land operations, and in special cases let the definition as to what constitutes congestion be stretched. 2. Let the task of improving the condition of non-scheduled Ireland in matters affecting land be entrusted to the Estates Commissioners. I would like to modify that statement a little bit. In starting this I was starting on the assumption that there was very great difficulty in getting money. I thought of what would be the cheapest way of doing things; but, on the other hand, there is a great feeling all over Connaught, and it is not confined to any particular district, that the whole of Connaught should be put under the Board. My difficulty is it would lead to so much extra expense, but if there was money forthcoming it would be, I think, the best way of dealing with the problem.

27233. You think that the present non-scheduled areas in Connaught should be given to the Board and not to the Estates Commissioners?—If enough money were forthcoming it would be better to leave the whole of Connaught, and Donegal as well, to the Board.

27234. If you did that I suppose the best way would be to schedule the whole of Connaught?—Yes.

27235. Mr. O'KELLY.—You say that the Congested Districts Board has been extremely useful, but should be strengthened. Is it the view of the Reform Association, which you represent, that the Congested Districts Board should be retained?—Yes.

27236. CHAIRMAN.—The next point is the making of advances?—Yes. Let all advances under the Land Act be made either by the Estates Commissioners or by the Land Commission, but let the Congested Districts Board and the Estates Commissioners have power to draw from their own resources whatever may be wanted to make up the deficiency between Vendor's prices and the safe advances under the Land Act. I mention the Land Commission here merely because I wish to give the Estates Commissioners new powers. The procedure described is practically what happens now. The money is advanced for the purchase of estates by the Land Commission. Money that is spent on improvements comes out of the income of the Board. I have retained that for this reason. Many parts of Ireland are not so desperately poor, and I think that the people should help themselves. There ought to be an arrangement to join in trying to help them to help themselves. At present the Estates Commissioners are not able or willing to do it. For instance they never take fines. It is against the rules. I hold, for different reasons, that within limits it would be most desirable to get the sons of farmers to pay small fines.

27237. On taking over a holding?—Yes. I would like the rules to be altered.

27238. When you say draw on their own resources; that is the system now; all you have in your mind is that the resources should be simply increased?—Yes.

27239. By a method such as making the tenants pay fines on going into the farms?—Yes.

27240. Mr. O'KELLY.—The Congested Districts Board take fines?—Not that I know of. Perhaps they do.

Mr O'KELLY.—Yes; in many cases.

27241. CHAIRMAN.—It is put on to the annuity. I suppose what you mean by a fine is the tenant right?—Portion of it only.

27242. Mr. Crosbie mentioned that point yesterday, but I think, personally, that there must be some confusion about it. He seemed to think that the tenant right was given to these people by the Board, but I don't think there is any question of that. The Board buy the two interests, landlords' interest and tenants' interest?—Yes.

27243. They put a man on that land—a migrant—and he pays an annuity to the State under the Act for sixty-eight and a half years. The extent of the annuity is based on the purchase money which represents the two interests. The actual amount of the tenant right is included in that?—That necessitates either a very low price to the landlords or else an unsafe advance to the incoming tenant.

27244. You would like to see a certain amount collected in hard cash?—Yes, for a number of reasons a small amount. I will come to the reasons later on.

27245. That is the principle of the old Acts under which they were made to pay up a certain amount on going in. The State only advanced a certain proportion of the money. What you mean is that the State—the Congested Districts Board—take the proposed sum in reduction of the amount of the purchase money?—That is all I would ask.

27246. That does not increase the income of the Board. It may increase the security to the State?—It enables the Board to carry on more purchases with a given amount.

27247. It reduces the capital sum spent rather? There would be a reduction in the bonus and a reduction in the financial loss. The bonus is calculated on the actual money advanced?—Yes.

27248. They would claim to have it calculated on the total amount of the purchase money?—At present the bonus is only paid on the advance.

27249. Because there is an advance equal to the whole of the purchase money; so the bonus, although calculated on the amount of the advance, in reality is on the purchase money. There would be a tremendous outcry if you suggested that it should be

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calculated on say two-thirds of the purchase money? I will deal with that later on.

27250. Mr. O'Kelly.—How would payment of a fine reduce the bonus?—As far as it goes.

27251. The tenant does not come into the transaction at all?—In this way. If I had a farm and wanted to sell it for £300; if there was a fine of £30 I would only get £270 from the State.

27252. That is not the point. What happens is this. If you have a farm and sell it for £300 the Congested Districts Board pay you that £300, and you are paid a bonus of 12 per cent. on that £300. Then the Congested Districts Board sells to the tenant. The Congested Districts Board gets a fine of £30 from the tenant, so they take that £30 from the £300 and fix the annuity of the tenant on £270?—Of course I am assuming that £300 is the total price paid to the landlord.

27253. Observe that the tenant does not come into the transaction at all until such time as the Board gets possession of the land, and it does not matter in the least to the landlord what fine the tenant pays, or whether he pays a fine at all or not?—No; it does not matter to the landlord. I come now to the fourth recommendation. Let the Congested Districts Board continue to act as it has done on eminently philanthropic lines, but let the Estates Commissioners distribute their grants more sparingly; let them rather assist deserving people to help themselves than do everything for them; by doing so more good in the end will be achieved and the financial difficulties be considerably reduced. In elaboration of these four recommendations, I say (1.) The Congested Districts Board chiefly wants money to carry out its land schemes within reasonable time. But its powers might perhaps also be strengthened One very often hears that the Board makes a better use of moneys entrusted to it than the Department of Agriculture. Granting, for the sake of fairness, that the farmers in non-scheduled districts have not yet fully availed themselves of all possible benefits resulting from the creation of the Department of Agriculture, and that in the future the work will yield more tangible fruit; it is still almost certain that the people in the scheduled districts are, for many reasons, much better off under the fostering care of their Board, which sends capable officers to reside amongst them, and therefore it seems desirable that the proportion of revenues payable by the Department to the scheduled districts should be handed over to the control of the Board. A similar suggestion might be made concerning the revenues of the Fishery Board.

27254 Chairman.—I do not quite understand the last suggestion with reference to the Fishery Board?—We have, I understand, a Fishery Board with certain revenues, and I cannot help thinking that a good deal of that money might be given directly to the Congested Districts Board.

27255. I do not think there is a Fishery Board now. The Fishery Board was abolished when the new Department was created?—It is absorbed in the Department of Agriculture?

27256. Yes?—The Congested Districts Board might perhaps get control of some of the money entrusted to it.

27257 I don't quite know what money you refer to. Do you mean part of the grant which at present goes to the new Department?—Yes. I have no personal knowledge of this, but I have heard that the Congested Districts Board did their work more smoothly in Donegal than the Department is able to do it now.

27258. Agricultural work?—Yes.

27259. Then, what you propose is that some of the new Department's revenues should be handed over to the Congested Districts Board for its work?—Yes.

27260. Of course I think probably that the grant was calculated on the fact that the Congested Districts Board did the fishery work in the congested areas. If it had not been for that probably the grant to the new Department would have been larger, so I think they might say that if you propose to take away some of that money you propose to take it away from the non-scheduled part of Ireland?—If the whole of Connaught was given to the Congested Districts Board there would be a very strong claim for more money in that way.

27261. There might be a claim for a greater income to be given to the Board from the State, but I should think if you propose to take away some of the money which the new department now spends in other portions of Ireland to give to the Congested Districts Board for the use of the congested areas, rightly or wrongly the new Department would say that they were starving, to that extent, non-scheduled places?—Yes; but there is a new Bill coming, and I think it is right to make all the applications for money we possibly can. Again, the powers of the Board require strengthening in the matter of including districts which are smaller than electoral divisions, so that it may relieve acute congestion wherever found. Lastly, when the Board purchases estates in non-congested areas it ought to be allowed to assist the poorer people living near to those estates. I think Mr. Doran brought out that very strongly in his evidence. These demands require, however, a very considerable addition to the existing resources of the Board. I wish therefore to show how the required additional funds can yet be kept within moderate bounds. First, there is the indirect method of reducing prices payable to vendors of tenanted land without inflicting any serious injury on them. Let the rate of interest on advances be 3½ per cent., and let the annuities on estates on which improvements are contemplated only begin after a term of fifteen years. This would give to the Board a profit of ¾ per cent. on the advance for fifteen years—a very material help towards reducing the losses incurred in improving estates.

27262. Do you mean to say that the Board should hold an estate for fifteen years and collect the rents in the interval?—Not the rents. That is a hardship. At present the Board collect the rent. My mother's estate was sold. She used to give abatements. The Board bought very cheaply, and the tenants had to pay rents which they never had paid.

27263. Mr. O'Kelly.—To the Board?—To the Board.

27264 Was that after the estate was vested in the Board?—I am not sure. My mother signed agreements, and she got 3½ per cent. on the agreed price, but the tenants paid the old rents—rents which they had never paid before—because they were in the habit of getting voluntary abatements, and, of course, they complained bitterly. I believe that the Board will give it back to them later on in improvements. So instead of doing that which is hard on the tenants I suggest that the tenants should pay ¾ per cent. for fifteen years—put off the sinking fund for fifteen years. I am only referring to the estates which can be improved. I am not referring to the other estates.

27265 You would put off the sinking fund for fifteen years?—Yes.

27266. That would increase the number of years during which the annuities would have to run?—It would.

Chairman —That would be rather a serious thing to do.

27267. Mr. O'Kelly.—Is not it the practice now, after the agreements are signed, and until the estate is vested, for the Congested Districts Board to charge the tenants 3½ per cent.? It might be that they charged the old rent in your case, but as a usual practice they charge 3½ per cent.?—I don't know. I thought they charged the old rents.

27268 They charged it on the Dillon estate, but under the Act of 1903 the Congested Districts Board after the signing of the agreements, charge the tenants 3½ per cent. on the purchase money?—The Estates Commissioners do, but I thought the Board charged full rent.

27269. They did on the Dillon estate?—They did it on a small estate of my mother's.

27270 I have a few cases in my mind where the practice I describe was observed?—Vendors would, of course, have to sell more cheaply, but their actual loss would be reduced to very small dimensions, provided that the full payments, including bonus, were made within, say, one year. The remark just made leads me, perhaps, to step over the terms of reference, but the fact cannot be controverted, that the existing delays in completing purchases are a serious hindrance to the satisfactory working of the Land Act. I may add I am a landlord myself, and this suggestion would not suit me very well; but the landlords, I think, have been extremely generous. A few years ago, when they agreed to take half the purchase money in Land Stock, they did it with the very best motives I do not think they have got their due credit for their willingness to concede so much.

27271. Chairman.—It was not carried out?—It was not carried out.

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27272. Mr. O'Kelly.—Were not they getting it at par?—At that time the Land Stock was at 92.

27273. Was not the difference made up?—No; it was only a suggestion.

27274. Did the landlords consent to that?—I am not a member of the Landowners' Convention, but I believe that they did. The question, therefore, arises if nothing can be done to hasten procedure. The general impression is that the root of the evil lies with the Treasury, which not only refuses to lose more than about £500,000 a year in financing the Act, but which also does not wish or dare to upset the Money Market by creating an undue amount of Land Stock.

27275 Chairman.—As a matter of fact, the Treasury does not lose at all. The difference between par value and what it would be floated at, the amount of discount, is borne by the Irish Development Grant and by the rates?—That is a very great hardship.

27276. Mr. O'Kelly.—Are you speaking of bonus?—No, not yet.

27277. When you speak of upsetting the Money Market by the flotation of this Stock, did you read the evidence of Mr. Waldron, the Dublin stockbroker?—I do not remember it.

Mr. O'Kelly.—I think he expressed the view that these flotations would not have much effect on the Money Market.

27278. Chairman.—Mr. Mullens told us that £10,000,000 could not be floated?—The ideal condition would arise if the Stock issued by the Treasury was quoted at a trifle above par on the Stock Exchange, and if vendors were generally inclined to retain a large proportion of all issues of Stock for themselves. The remedy for the existing situation then seems to lie in an approximation towards those ideal conditions at the smallest possible cost to the taxpayer. The present procedure is not only unsatisfactory, but horribly wasteful. There is a great injustice done to schoolmasters at present. They have a grievance, and a very legitimate one. Their prospects are blighted by largely cutting in on the Irish Development Grant. It is most unfair. It is keeping up a hostile feeling in the country between one class and another, besides doing a very great injury to a very deserving class of people. On purchases which will in a few years' time amount to £100,000,000, the taxpayers will not only have to pay 2¾ per cent. on at least £10,000,000 of Land Stock, but they will eventually have to redeem the principal. Should the redemption take place in thirty years, the actual cost to the taxpayers will amount to that of one half million per annum spread out for a period of thirty years. It should, therefore, be easy to improve on present methods. The suggestion which seems to me to be most suitable is that of increasing the rate of interest on fresh issues of Land Stock from 2¾ per cent. to 3 per cent., and, therefore, of increasing the annuities payable by purchasers of tenanted land from 3¼ per cent. to 3½ per cent. Further, of granting to vendors an additional ¼ per cent. interest on Stock issued, pending the time that the Stock can be redeemed at par. The actual loss to the Development Grant would then be limited to the payment of the additional ¼ per cent., and in the event that redemption in cash only occurred in thirty years, the total loss would only amount to one of about 5 per cent., instead of one exceeding 10 per cent., as at present, and this estimated loss of 5 per cent. would be cut down by one-half if redemption occurred in seventeen years. In favour of this suggestion there is this to be remembered. A large majority of landlords have to invest their money in trust funds. Either they have to or they would, and it would be a very nice thing for them to get a safe 3¼ per cent. investment. The result of that would be that they would only buy a small quantity of Stock bearing a high rate of interest, so that large purchases could be effected in that way with actually less interference on the Stock Exchange. At present a landlord gets his money, but in order to get £100 about £112 Land Stock has to be issued. That may possibly have an effect on the markets, depreciating Consols all over the Kingdom; but if you could give the landlords some security then they would, in many cases, hold it in their own families, and the effect on the Stock Exchange would be very much smaller.

27279. You say, give them a security?—I am suggesting that the rate of interest should be increased to 3 per cent., and for a certain number of years, until they can be repaid at par, they should get an extra ¼ per cent.

27280. That is 3¼?—Yes. To the State it would be cheaper to do that, because if redemption took place within seventeen years the ¼ per cent. accumulated would amount only to about 2½ per cent; so you would reduce the financial loss from 10 per cent., which it is at present down to 2½ per cent. This suggestion would, of course, reduce the former estimated profit of the Board in its purchases of tenanted land from ¾ per cent. to ½ per cent. on advances; but the enormous saving to the Irish Development Grant would much more than make up for such a loss. But to return to what lies more clearly within the terms of reference, the Board chiefly requires funds for the purchase of untenanted land. As the acquisition of such lands is primarily intended to improve the condition of people now living on miserable holdings, one may reasonably say that whatever money is spent in purchasing untenanted land for people residing in congested districts must necessarily increase the security on advances made on tenanted property. There does, therefore, not appear to be the same necessity for so large a sinking fund. If, then, the rate of interest on advances for untenanted land be temporarily increased from 2¾ per cent. to 3 per cent. in order to aid the financing operations of the Land Act, annuities of 3¼ per cent. might yet, under certain conditions, be deemed safe for the purchase of untenanted lands. It is necessary to keep the annuities for this purpose as low as possible, in order that vendors may receive a fair price. But if vendors of tenanted lands are penalized, as suggested, by having in the future to sell on a basis of 3½ per cent. annuities instead of on the existing ones of 3¼ per cent., it follows that there will be a saving of about 7 per cent. on the bonus, and this saving would apply to the very large amount of tenanted property all over Ireland which has not yet been sold.

27281. Mr. O'Kelly.—Mr. Boyd said he was willing to accept 3½ per cent., speaking on behalf of the Landlords' Convention?—I did not read his evidence; hence, partly, the following additional suggestion. Let the bonus on untenanted land be increased to 20 per cent. of the advance. This suggestion has already been made by Father O'Hara. May I refer you to a note that I made since. Assuming that the rental of tenanted land not yet purchased under the Land Acts amounts to £3,000,000, and that £69,000,000 will be required to purchase that amount, it follows that the bonus required at 12 per cent. would come to £8,280,000. If the rate of annuity were fixed at 3½ per cent. instead of 3¼, it is almost certain that the purchase money would be reduced 7 per cent., and that 7 per cent. on £8,280,000 would be saved in the bonus. That is, there would be a saving of £579,600. There would be also a reduction of 7 per cent. on the purchase money. This comes to £4,830,000. Estimating the loss on financing at 10 per cent. there results a saving of £483,000 on this head. Adding the two savings together, we get £1,059,600, or enough to fully make up the estimated loss of increasing the bonus on untenanted land from 10 per cent. to 20 per cent. for an amount equal to over £13,000,000. These savings would go a long way towards providing a fund for increasing the bonus on untenanted land.

27282 Chairman.—Sir Francis Mowatt, our financial expert, is away, but I must say that I cannot see that you would effect anything more than a nominal saving?—But even a bonus of 20 per cent. is not sufficient to tempt the average holder of good grass farms to part with them. Excluding the important cases where the farm does not only provide a fairly safe source of income, but also gives him an opportunity of availing himself of his professional skill, and confining our attention to those cases where a farm merely affords the owner a fairly safe income, it is probable that comparatively few owners would care to sell except on receiving twenty-five times their average net income.

27283. Mr. O'Kelly.—Do you mean their net income multiplied by twenty-five?—Yes.

27284. That would be twenty-five years' purchase?—It would be twenty-five times the net income, but it might amount to thirty-three times the fair rent.

27285. Suppose the gross income were £100, what would be the net income?—That varies. But the average net income should, as a rule, amount to at least one and a quarter, probably in many cases to one and a half, times the second-term rent, or at least the rent that Land Commissioners would now settle if asked to do so. From this it follows that vendors

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would not care to sell except at prices varying from thirty to thirty-six times the second-term rent, including bonus, so that even an increase in the bonus from 12 to 20 per cent. on the advance to the purchaser would by no means be found sufficient.

27286. Would not be found sufficient to give their net income?—I do not think so. In many cases certainly not.

27287. Could you give us typical cases to which your figures would apply?—Yes, I could. Suppose I have a farm yielding me £100 a year net income——

27288. Give gross income first. Take a large grass farm of 100 or 200 acres, and we will see what the difference between the gross and net income will be then?—The gross income might be between £100 and £150

27289. Say, £100 for gross income?—Received from an eleven months' tenant?

27290. Yes?—The net income might be £80.

27291. CHAIRMAN.—How do you arrive at that?—I worked altogether on the net income.

27292. Mr. O'KELLY.—If you speak about net income that presumes expenditure for some purpose. That expenditure subtracted from your gross income gives you the net income. Take the gross rental first. Do you say that on a farm of 100 acres, let on the eleven months' system for £100, 20 per cent. must be deducted for expenses?—I do not think it must, but it might in certain cases, and by rates and taxes and allowances for herding and fencing.

27293. £80 is the net income. How do you speak of second-term rents in connection with grass farms?—The second-term rent might be as low as £60, comparing a farm in the hands of a tenant with an exactly similar farm in the hands of the landlord.

27294. I understood you to say you would have to get from thirty to thirty-six times the second-term rents?—Yes.

Mr. O'KELLY.—I am speaking of a grazing ranch on which no second-term rent or any rent was fixed, and you say that even a 20 per cent. bonus would by no means be found sufficient.

27295 CHAIRMAN.—Perhaps you would like to prepare a typical case later on. It is rather hard on the spur of the moment?—The advance to be made by the Board or the Estates Commissioners would mainly be based on what, in their opinion, would correspond to a fair rent. Perhaps I should say fair rent instead of second-term rent. I am assuming that the fair rents fixed by the Commissioners on grass farms correspond to second-term rents. The rents would approximate to what is paid by the tenants on second-term rents, and I further say that the second-term rents are very much lower than the gross rents, and lower than the net profits; so it is not fair to the landlords to base years of purchase on second-term rents because a farm in the occupation of a landlord or a big farmer gives him not only the fair rent, but gives him a profit as well, as is proved by the fact that the tenant-right of these farms stands very high. I now come to my second recommendation. There is a strong feeling in many parts of Ireland that the sphere of operations of the Congested Districts Board should be extended enormously; but even apart from financial considerations, it seems almost certain that a considerable extension in the areas scheduled would lead to great disappointments. The Board could not profitably extend its activities to almost every county in Ireland; its essential duty is that of relieving very acute congestion; this does not imply that all extension would be undesirable, but that if too many districts were scheduled the chances are that the Board would keep many of them waiting for years before giving them material help. It may further be doubted if it would be wise from a moral point of view to treat a very much larger number of Irishmen as young children. I showed this to Mr. Crosbie, and he objected to that remark with reference to the children. My reply is this. I only refer to the Irish landholders as children here for this reason. Nothing in the world can be made to bear such good fruit as a rational outlay on children's education. I believe that in a poor and backward country like Ireland, all the poor may rightly be treated as children, but that while the poor people in the congested districts require the spoon-feeding of babes, those in less unfortunate circumstances would thrive best under more advanced treatment; and, therefore, I suggest that the poor in non-scheduled districts be handed over to the care of the Estates Commissioners. The congested districts would then form Ireland's nursery; the remaining portion of agricultural Ireland would constitute her schoolroom, under the economic guidance of the Estates Commissioners. The main duties of the Estates Commissioners should consist of helping uneconomic holdings to be made economic by the addition of land, and also in encouraging migrants from a distance to colonise grazing ranches, and, most important of all, to assist in reclamation works.

27296. You say the main duties of the Estates Commissioners should consist of helping uneconomic holdings to be made economic, and so on. Have you any reason to suppose that the Estates Commissioners would do that any better than the Congested Districts Board?—When I wrote this I thought it would be impossible to mix up the treatment between the congested districts and the other parts of Ireland, and it would be better to separate them, and not to treat all exactly alike

27297. But what difference is there so far as adding land on to uneconomic holdings is concerned?—The main difference is that in the poorest districts more help is needed. Less can be expected from the resources of the people, and more money should be given.

27298. Then, as a matter of fact, the Estates Commissioners have less money to lose than the Board, so that to that extent, unless you increase their powers, they are not so well able as the Board to give money to help the people for these purposes?—I would like the Estates Commissioners to do a great deal more than they are doing. I believe that would be possible if they were to call more on the resources of the people, and to work more on the spirit of self-help.

27299. Then I take it to be your view that within the congested areas, at any rate within Connaught, it is practically impossible to proceed on the principle of self-help in those areas. Everything has to be done for the people?—I should be very sorry to include the whole of Connaught. In a portion of Connaught the people are very well able to help themselves, and would be improved, in fact, if made to do so.

27300. Within the scheduled areas?—No. I mean in non-scheduled portions of Connaught.

27301. In your opinion, within those scheduled areas the people are so badly off and so behind the times in agricultural knowledge that very, very special treatment is necessary. For that reason you think that the Congested Districts Board had better continue to look after them?—Yes.

27302. With regard to the other parts of Ireland, a different principle ought to be adopted, and much more might be expected reasonably from the people themselves?—Yes.

27303. And, in your opinion, the Estates Commissioners are the best people to work on those lines?—Yes. Or if the whole of Connaught was given to the Congested Districts Board, the Congested Districts Board might be asked also to differentiate. That would be the best solution of all, I think—giving the whole of Connaught to the Congested Districts Board, and asking them to differentiate between Mayo and Sligo, for instance.

27304. Mr. O'KELLY.—I think they do differentiate between very poor properties and properties that are not very poor?—Here is an important point, showing where the differentiation would come in very sharply. But while the Congested Districts Board offers land at low rents, without fines, the Estates Commissioners should, in my opinion, invariably levy moderate fines.

27305. You say that the Congested Districts Board don't ask fines. I have a case in my mind where the Congested Districts Board exacted fines of £50, £60, or £70 from tenants before sending them into occupation, and then fixed the annuities on the balance of the purchase money. I asked the officials of the Board myself why they did not include the fines in the annuity, and they said that if they did, they thought the annuity would be too oppressive. That would seem to suggest that the price paid is too high. I do not see why it is not oppressive to exact it as a fine if it is oppressive to exact it as an annuity; but they do, as a matter of fact, exact the fines—though in many cases they do not. On the Drillon estate they did not; but I have properties in my mind. I know the men, because they used to be in with me asking me to try to get back the fines for them?—It would be very much better if the rules were more or less in black and white. It would be a hardship to exact fines on the worst parts of Mayo There should be no fines there. But in other parts of the country there should be moderate fines, very low

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fines, which would give the people an opportunity of knowing on what conditions they would get the lands

27306. Take a man migrated with £50 or £60. Do you not think it would be better to leave him that money to buy stock, farm implements, and all the necessary paraphernalia for his farm, and add on that £50 or £60 to the annuity, spreading it over the 68½ years, which would not be very oppressive?—If you were only considering that man I quite agree with you; but the fact is, there are a large number of people who are all entitled to land, if there were enough of it to be given, but there is not enough. You have to differentiate.

27307. Do not you see where that lands us? After all, the primary object of the Congested Districts Board is to relieve the very poor. If you insist on exacting fines you will only get fines from those that the Act was not intended to reach?—I purposely said let there be no fines in the poorest districts, but in other parts of Ireland let there be small fines. It would enormously help whatever Government body happens to take charge of estates to find out what tenants to put on the land, because every man will be willing and anxious to get land, and he will promise to pay any rent.

27308. That is true?—You give a man a farm of ten acres. In some cases you build his house. You let him have it at a low rent. In other words, you make him a present of at least £100. If it was possible to do it all round, by all means let it be done; but it cannot be done all round. Therefore, make the present less. Give a man an opportunity of buying his farm cheaper. Select the best man that you can. And, personally, I believe very strongly that one most important thing for the whole of Ireland would be to give the children some hope of getting homes. One of the main reasons why the country is so backward is that the children leave for America just at the time when they are beginning to get useful; and knowing from their boyhood that their future will be in America, they have not got the heart to work in Ireland. The old people who are left at home are not able to work the land as they should or as they would. Life is very dull in Ireland, because there are no young people. Numbers of men are more or less condemned to celibacy, and there is a want of vigour all over the country. You could cure that to a very large extent by giving the children a reasonable hope, not a certainty, of buying a farm on as easy conditions as one could provide for them; and I think that it would be most important to bear that in mind. Young men and young women have often either received a trade or a certain amount of money. If a boy has been good to his parents they will be willing to do something for him. In a large number of cases the parents are very well able to do it. Millions of money are on deposit account in Ireland, doing no good at all. Even when there is no money, with the help of co-operative banks, there is an immense amount of credit; and I believe you would change the face of the whole of Ireland if you could create so many new holdings every year. Let the holdings, perhaps, be rather on the small side in Connaught, and larger in other parts of the country; but give the people a chance of improving themselves in that way. If you give away land for nothing you will remove the encouragement to thrift. It will be almost impossible to differentiate between a good coloniser and a bad one. I do not mean to say that the fine by itself would make it quite certain that you would get the best men, but it would certainly be a step in that direction. Concerning the general question of levying fines the reasons, after a little reflection, are obvious. (*a*) In congested districts there are only a very few available grass farms. The Board has, therefore, no difficulty in selecting candidates for them. The Board are such a good body that the people are more or less inclined to act on their suggestions. Therefore, the Board can easily select good candidates, who have little farms available in the neighbourhood. There is no great difficulty there, but that does not apply to many other parts of the country. Over non-congested districts grass farms sometimes abound, and sometimes are scarce.

27309. The Board can buy grass farms in non-congested areas?—It would, therefore, be most unfair to use public money, which might conceivably be used for main drainage schemes, in order to make rich men of those who happened to live near to grass farms, and to do nothing for others merely because they happened to live at some distance from those grass farms. That is a very important point. Where I am living there are large areas in the occupation of small farmers, and the fact is that, with or without compulsion, there is no land available. In other districts there are a large number of grass farms. I say it would be most unfair to let the few people who happen to live near those grass farms have all the good things given to them, and nothing left for the others. The difference of treatment would not lead to contentment in the country; and in order to make things more even and appeal more to one's natural sense of justice, I say, do not give away land, but let them pay something on easy conditions.

27310. You mean pay fines for them?—Yes. In that way the feeling of inequality won't be so marked.

27311. Let us take a farm of twenty English acres of good land—what would be the fine that you would ask for that farm?—I am suggesting one-tenth of the total received by the landlord.

27312. What would the total be, say, for a twenty-acre farm?—It might be anything between £300 and £400. It might be more in some cases.

27313. You would have the man pay a £40 fine?—A £30 or £40 fine.

27314. Surely the man who can afford a £40 fine would not be so badly off? The great danger is that these tenants will go to the gombeen men. I know myself several cases where the money is got from local shopkeepers?—You could get over that difficulty with the help of co-operative banks.

27315. But the tenant will have to get the fine in that way. If he had not it himself he would have to borrow it?—The poor man will give very large sums of money to his daughters. I heard Mr. Fitzgibbon a few days ago, and he said that very large sums were given away, so that there is plenty of money in the country. There would be no difficulty at all. At any rate, let it be tried. Then I say (*b*) it will often happen that the number of those wishing to get land will be far greater than the quantity of available land would justify, hence the necessity of some principle of selection among candidates. Then (*c*) the actual working powers of the staff of the Congested Districts Board must necessarily be limited, so must also be the resources of the Treasury during any one year. What I mean is this. There is no sense in talking of compulsion, and trying to get everything done at once, when the actual work of looking after it cannot be done at once. Neither the Estates Commissioners nor the Congested Districts Board now, as a body, as regards their work could possibly deal with the whole of Ireland, except slowly. So if you are going to give away a great deal to some local people in one place you will at once incite jealously and discontent elsewhere; and, therefore, I suggest—I am not talking about the poorest of the poor districts—that the treatment should be a little less generous, so as to reduce the inequality; not only that, but to make it possible for the body to carry on the work more quickly all over Ireland. If you give people good farms, and build houses for them, just because they happen to be poor, and give nothing to the people living two or three miles away, these people won't be satisfied. If, on the other hand, you give to the whole district, to the whole country, an equal opportunity of getting land on as easy conditions as possible, it is fair and just all round.

27316. Chairman.—I do not think we should quarrel very much on those points. Obviously, there should be a selection?—The next point is (*d*), to which I have referred already—Ireland's greatest curse is its continuous depopulation. Statistics prove that during the last quarter of a century the population has declined by about one quarter, but that the number of agricultural holdings has only decreased a little. This proves clearly how potent holdings are to retain their possessors in Ireland. And it also proves what an enormous amount of good could be accomplished by the Estates Commissioners if they were only to offer a part of the grass farms to young migrants—that is, to sons of small landholders all over non-congested Ireland. The experience of the Congested Districts Board has shown how difficult it is to migrate families. Fortunately, from an Irish Ireland's point of view, there is no great necessity to migrate families, but there is the most imperative call to get the best sons of our good, small, and thrifty farmers to colonise Irish wastes rather than American slums. I have a note here. That phrase of mine, perhaps, is rather too strong. What I mean is that the chief cause of the poverty is lack of business enterprise, both in town and country. This is largely due to depopulation discouraging enterprise altogether. Any means of effectually checking

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that evil would, indirectly, benefit all parts of the country. Further, the cost of migrating families is so great that for the present, at any rate, it would seem wiser to spend money on reclamation works, and on colonising, and helping the sons to move. I was talking to Mr. Crosbie the other day, and he had an excellent suggestion. He said that when the son wishes to move——

27317. He told us that—that the old people should be left with an annuity?—Where that is done voluntarily there are a number of cases where that would work—of course not at once. About migrating, I wish to make a suggestion. It is seldom there is available land adjoining small holdings. Sometimes all the poor people will be on the hills, and all the good lands below, so there will be very great difficulties in removing away the people from the poor parts, and giving them good land below. People do not like moving to new homes. They never move unless they considerably better themselves; and it is a very costly arrangement. So I suggest, as has been suggested before, that a farm might be bought and worked for grazing purposes on co-operative lines. But that is a very different point.

27318. We have also had that suggestion?—I do not wish to dogmatise on that. What I suggest is, that the Irish Agricultural Organisation Society, which is well experienced in working co-operation, should be asked, either by the Estates Commissioners or by the Board, to try their hands at that sort of work.

27319. It seems to me that a fatal objection to that plan is this: your object in breaking up the land is to increase tillage, while this is merely continuing what are called grass ranches on co-operative instead of individual principles?—But the system of farming in Ireland will never be altogether tillage.

27320. This would not increase your tillage a bit. All you would do would be to buy a grass farm, which at present belongs to a grazier, and hand it over to a certain number of small people living on the mountains to graze on the co-operative plan?—I am not very sure of that; because I don't say I altogether agree with Mr. Standish O'Grady, in his "All Ireland Review." He says you will never work tillage rightly except on the big-field system. He says at present in Ireland, and in England, too, the fields are too small; there is too much land worked under fences; and in order to make tillage economic at all you must work it in very large fields. If he is right in that, it would be very much better to work the good lands and the plains lower down on co-operative lines—possibly by steam ploughing.

27321. Can you conceive such an ideal condition of co-operation as having tillage on co-operative lines?—I think you might try the experiment. I think there are great possibilities of co-operation if done slowly, not too suddenly.

27322. Sir John Colomb.—At present is it your opinion that one of the obstacles to co-operation is the tendency of the people to mistrust one another?—The existing co-operative societies have been most useful in overcoming that feeling.

27323. But it is an obstacle to be overcome?—Yes.

27324. Mr. O'Kelly.—But working a farm on co-operative lines takes away the sense of individual ownership and the incentive that individual ownership gives?—To be quite frank, I agree with you. I am in favour of private ownership; but as I was considering the matter, I thought it right to say what others have thought.

27325. I can quite conceive great advantages coming from co-operation—such as co-operative banks, and the purchase of seeds and farm implements through the agency of co-operative societies. In doing that there would be no reason for any feeling of mistrust among the members of co-operative societies dealing with these things; but I do confess that I would not view with the same feeling farming on co-operative lines. I think it would lead to friction and mistrust among the farmers. Do you see any difference in the two?—Yes, decidedly, I see the difference; but though I see it, I think there are cases—especially if you make the people pay part of the purchase money in cash, and give them shares as it were in the farm, treating the farm more or less as a limited liability company—in which it could be done with profit by a number of people, and then possibly the profits redistributed among the shareholders.

27326. Sir John Colomb.—Don't you think that the possibilities of co-operation in the congested districts are more remote than in the more advanced districts, such as Wexford and Kilkenny?—I believe co-operation is much stronger and more useful in the poorest districts than it is in the districts better off.

27327. Do you not think it is more difficult to establish in the poorer districts owing to the backwardness of the population than in other parts of Ireland, where you have a highly intelligent and better educated population?—I don't think so. I think the people are more intelligent in the poorest districts than they are in the districts better off. My next point is: if farmers living on holdings for which they only pay a rent of, perhaps, £10, very frequently give their daughters dowries of from £50 to £100, and in doing so very often lay heavy burdens on their successors, does it not follow that these same farmers would thankfully pay from £20 to £40 to provide their boys with holdings as good, if not better, than those on which they were reared? By doing so they could often provide a suitable home for their daughters with far smaller dowries. By offering to the sons of our small farmers, say, 4,000 new holdings every year for a period of twenty years our depopulation would be most efficiently arrested, and the hope of one day obtaining a home would induce the children of our farmers to work and to save, as nothing else would do. A former witness, Mr. Boyd, referred to the need of a stimulus to make the Irish farmer work; a more than sufficient stimulus could be provided by the Estates Commissioners if they were only to undertake systematically to provide a reasonable number of new holdings for the sons of our small farmers on condition of their contributing a small part of the cost of the land in cash-down fines. In this connection I beg to refer to my memorandum on the problem of congestion.* (c) If fines were exacted the financial difficulties of providing enough land for the double purpose of improving uneconomic holdings and of the most important object of arresting our depopulation, with all its resulting evils to the physical, moral and economic health of Ireland, would be enormously reduced. A brief reference to figures shows, as has already been stated, that a gap has to be bridged between even moderate demands of vendors and the prices obtainable from a safe advance to purchasers, even should the bonus be increased to 20 per cent. on the safe advances. I have suggested that in the case of purchases made by the Congested Districts Board this gap should be bridged out of the revenues of the Board. In non-congested districts I think it would be not only more expedient, but much juster, to compel the future purchasers of these holdings to bridge the gap out of their own savings. The Estates Commissioners could, if sufficient funds are forthcoming, still do much to help in the work. Their administrative expenses will be fairly considerable; help could also be given towards fencing grass farms; and if it were possible to give grants of £20 to everyone building houses worth £100 on new holdings this would be most desirable. Mr. O'Kelly has referred to an example of what I mean. I now deal with that. Take a farm yielding an estimated net profit of £100 to the owner. The total price, including the bonus, would be £2,500. The advance under the Land Act would be £1,875; the bonus, at 20 per cent., £375; the fine £250; and the annuity, at 3¼ per cent., £60 13s. 9d.

27328. Mr. O'Kelly.—The price of the farm would be £2,500. Is it on that sum that the bonus would be paid?—No. The landlord would not get that, or anything like it.

27329. Suppose you went to the Estates Commissioners and said you were willing to take for your farm twenty-five times the net income, in this case £2,500, surely it is on this £2,500 that the bonus of 12 per cent. is paid?—Yes.

27330. But you are working on the assumption that it is paid on the £1,875?—Yes. This is merely a suggestion. My object is to reduce the advance to absolutely safe limits, and to hasten the work, so that the Estates Commissioners would have no delay at all in making the advance to the landlords. The thing should be done as quickly as possible. The bonus should be increased. At present it is too small to guarantee a low advance or a fair price; and unless the landlord is going to suffer or the advance is going to be too big, I do not see what else can be done.

27331. Chairman.—Do you think £2,500 would be a fair price for a grass farm bringing in £100?—No. I should say £2,600 would be nearer what is fair.

27332. Why do you take £2,500?—Because I know of cases in which much smaller sums have actually been offered by the Estates Commissioners.

* See p. 258.

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Mar. 28, 1907.

Mr. Alexander Crichton.

27333. Sir JOHN COLOMB.—Have they been accepted?—No; and then the landlords are blamed for not taking ridiculously small prices. The reason I mention twenty-six years is this. I have spoken to landlords. They are perfectly reasonable in the matter. Naturally enough, they do not expect to have the whole of their net income guaranteed to them. They quite recognise that in farming there is a certain amount of risk. Rates may be increased; prices of labour may be increased. There may be cattle disease, and one thing or another. On the other hand, the greater part, say, three-fourths, of their net income is as safe, or should be as safe, as Consols. Therefore, I suggest that a landlord should get at least twenty-eight times 75 per cent. of his net income. He ought to be able to get 75 per cent. of his income on a 3½ per cent. investment. The remaining one-fourth is undoubtedly more shaky, and I would consider it would correspond, roughly speaking, to a 5 per cent. investment, with certain risks. Twenty-eight times 75 per cent. would come to twenty-one times the net income, and twenty times the one-fourth would make it up to twenty-six. I believe if the landlords were offered that there would be more land thrown on the market than could be dealt with.

27334. Sir JOHN COLOMB.—That could not apply to limited owners. They would be obliged to invest in trustee securities.

27335. CHAIRMAN.—Your calculation is only a system of arriving at what is a fair price?—Yes.

27336. Mr. O'KELLY.—You would not be satisfied with the net income?—That depends entirely on circumstances. I have some farms myself. They are a long way from where I live, and I would be perfectly satisfied with my net income, and would be glad to get it, in fact; but I have a small farm outside where I am living, three miles away, and for all sorts of personal reasons I would not sell it unless they gave me half as much again. I want to keep it.

27337. Sir JOHN COLOMB.—You regard it as part of a home farm, or as an essential element in the general plan of the rest of your estate?—In my case it is not, though there are many cases where this would arise; but in my case it is more for family reasons. This would enable a migrant to obtain a good holding of about £10 valuation on condition of paying a fine of about £30, and of paying annuities in the future of only about £7 10*s*. As to what the cost involved in carrying out purchases of untenanted land of, say, £75,000 valuation every year, or enough to provide land for 4,000 migrants and for improving the holdings of about 7,000 small landholders, as well might be, the suggestions made above would point to the fact that so far as actual purchase is concerned the cost would be nil. There would, however, be the cost involved by the proposed increase of bonus, and also that involved in administration, and perhaps that resulting from aid given to migrants in the matter of fencing and of houses.

27338. Is the valuation of £75,000 to which you refer Griffith's valuation?—It is. A rough calculation leads one to the conclusion that the increased demands on the bonus would amount to £135,000 per annum, or, say, to £2,700,000 in twenty years. Should that prove to be an excessive demand on the sums now spent by Ireland in her over-taxation, the pressing need of settling this great problem with reasonable speed and on honest business lines leads me to suggest a diversion from the sums now given to graziers by the grant in aid of rates. The effect of such a diversion would be two-fold. It would have the effect of inducing vendors of untenanted lands to sell, whether they were absolute owners or not. The amounts thus diverted could be used solely for the purpose of greasing the wheels of voluntary purchase. Of course, the larger farmers would object, but I consider that the gentle and all-round pressure of a slight increase in the rates would be far juster and less oppressive than compulsion—that is, of compulsion in many cases instigated by popular pressure, with its usual accompaniment of intimidation, etc. I heard Mr. Fitzgibbon speak about the three joints. I am altogether opposed to that idea. Instead of saying so many landlords must sell, and then so many farmers must sell, and then so many other farmers must sell, I say don't use compulsion at all. Don't use the word must, but give every facility and encouragement to vendors to sell. If that is not enough put on the screw by reducing the grant in aid of rates. At present the rates in Sligo are reduced by 1*s*. 8*d*. in the £ by the grant in aid of rates.

27340. Mr. O'KELLY.—The agricultural grant?—Yes. Although I derive a great deal of benefit from it it often struck me as being unfair. Here I am getting money from the State which was, perhaps, given to the State by the taxes on the pipe, and on whiskey and tea. It is given to me for the special purpose of not giving employment. The man who works a farm by grazing bullocks gets the fullest relief. The man who builds houses for himself and his labourers does not get the benefit of those grants on his houses.

27341. You would require legislation to give effect to your view?—I don't know.

Mr. O'KELLY.—County Councils cannot differentiate between land under tillage and land under grazing. If they could have done that I am quite certain that within the last five or six years they would have put on the screw in the case of grazing land in the West. It is really a capital idea.

27343. Sir JOHN COLOMB.—The grazier only gets relief in common with all the ratepayers in the county?—Yes.

27344. Therefore, how do you propose to put this "gentle compulsion" on the grazier without also increasing the rates on the small holders and other holders all over the county?—I think Mr. O'Kelly is right in suggesting that legislation would be necessary. I only put this forward as a lesser evil—I don't say it is advisable—that farms beyond a certain valuation should pay more.

27345. But suppose that a farm is a tillage farm, beyond a certain valuation, what are you going to do then? You say that over a certain valuation they are not going to get the benefit of Imperial grants in local aid; are you going to differentiate between grass farms and tillage farms?—I have considered this point. It is a most important point. The way you could get over it would be this. I would tax the land, but would make a liberal reduction for the houses, and I would do this because it is a rough principle that houses represent labour. If a man has a tillage farm he must have labourers, and these labourers must live in houses. Therefore, if you could reduce the rates on houses and increase the rates on land you would, to some extent, not perfectly, but in a rough sort of way, do justice all round.

27346. How can you increase rates on particular lands without revaluation and permanent appreciation of the relative value of certain lands all over Ireland?—What I suggest is that the grant in aid of rates be set aside, and that anyone holding more than a certain amount of land should be made to pay on the excess over that amount at 6*d*., 8*d*., or 1*s*. in the £, whatever may be the ordinary set-off against the injustice to which I refer, and that he should not only get the full benefit of the grant on his houses, but even, perhaps, some additional benefit.

27347. Then you mean a new principle of hypothecation of the agricultural grant?—Yes. I don't say it is good, but it is far preferable to bringing in compulsion and creating confusion in the whole country. Because compulsion will not do the landlord much harm. It may even do him good, by leading to an increased purchase price, and not only that, but it might bring the money more quickly; but it is the small farmer, the shopkeeper, the man who has, perhaps, got two or three small farms some little distance from each other, whose whole system of farming is based on working two or three farms, who would be cruelly hit if his land were taken away by compulsion.

27348. So you are absolutely clear in your mind against adopting the principle of compulsion, and the proposal you made is merely to illustrate what, in your view, might be other methods of quickening the transfer of land?—Certainly.

27349. Mr. O'KELLY.—The reason you would withdraw the agricultural grant from the owners of grazing ranches is this—that it ought to be given to a class who are of more use to the country, and contribute really to its wealth?—Yes.

27350. Do you think some modification of the present system of allocating the grant should be made in order to arrive at your result?—Yes.

27351. You would be in favour of legislation to give effect to it?—I would, provided you put off compulsion.

27352. I must confess it is a very useful suggestion?—We want peace in the country. The condition of the

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country has improved, and is gradually improving, but compulsion would do untold harm all over Ireland I firmly believe.

27353. I asked this question of several other witnesses. Supposing it was impossible to get a landlord to sell his grazing lands, which were needed to relieve congestion on his property—one part of his property being occupied and another being in grass. To remedy the congestion of the occupied portion it was absolutely necessary to get part of the grass land, and the landlord refuses to sell or to part with his grass land, what would you do in a case of that kind?—For the present I would leave him alone.

27354. You would allow the congestion to remain?—For the present I would.

27355. After a reasonable lapse of time, what would you do if he still refused?—I would in that case, if necessary, as a last resort, allow compulsion on the excess of land that every man holds over and above seven or eight times the valuation of houses on the property.

27356. In any case, you would be in favour of the principle of compulsion; as to its application, that is a matter to be worked out later?—I am opposed to compulsion. It may be necessary later on, but for the present we have not come to it.

27357. You will admit that congestion is an evil, an ulcer?—There are ways of dealing with congestion—improving the farms, migrating the people to a distance. Suppose the land you want in one place can be bought only at a high price, not only the price the landlord would get, but the large amount of money that will be spent in law to get the estate; suppose, on the other hand, that land can be got more cheaply elsewhere, would it not be better to buy the land that can be got more cheaply first, and to put, if you like, a little tax on the landlord if he is obstinate, and if he will not part with the land, let him pay for it.

27358. How do you mean him to pay for it?—By the suggested tax I was referring to.

27359. Let me assume that that tax is not sufficient to induce him to sell, and that the congestion is still there waiting to be removed, what would you do then, bearing in mind that it is the State policy to remove congestion?—I would try to make friends with him.

27360. But, supposing the most friendly advances fail; supposing persuasion and the withdrawal of the agricultural grant failed, and he is still incorrigible and obstinate, what would you do then, bearing in mind that the evil of congestion is far greater than the alleged evil of compulsion?—Congestion will never go altogether, I am afraid.

27361. I have given you a case in point. The landlord is willing to sell the occupied portion, and refuses to sell the land in grass. Persuasion fails; friendly overtures fail; the penalising of the landlord by the withdrawal of the agricultural grant fails?—I think even in that case it is possible that the landlord would sell parts of his property.

27362. I am going on the hypothesis that he absolutely refuses to sell. I have a case in my mind. My language accurately describes the attitude of the landlord. Supposing he absolutely declined to sell, what would you do?—The whole point depends, really, not on one case, but on how many such cases there are. If there are a large number, you would force me to say, "Bring in compulsion." But if there are only a few, the question is, "Is it not better to ignore them, and to go on and hurry up the work as hard as you can elsewhere."

27363. I am satisfied with that answer. If there are many cases of the kind you would bring in compulsion?—If necessary; but I think compulsion has so many drawbacks to it of all sorts that everything ought to be done to avoid it.

27364. But the evils of congestion is far greater than the alleged evil of compulsion?—I don't think you will cure congestion by compulsion.

27365. You will mitigate it?—You may increase it in time to come.

27366. Legislation must take precautionary measures against such a result?—I will give you an important case. You have got labourers' cottages put on all over the country now by compulsion, and you will in that way most undoubtedly increase congestion.

27367. You would only deal with the evil that is immediate, and not with the evil that is prospective?—That is what I say.

Mr. O'Kelly.—The evil of congestion is immediate. You may leave it to other people to deal with these prospective evils when they arrive.

27369. Sir John Colomb.—Mr. O'Kelly and you are viewing the acquirement of grass lands from two different points of view. Mr. O'Kelly speaks of the methods of acquiring grass lands for relieving congestion by migration from poor districts. Your policy with regard to the application of grass lands when acquired is not so much for that purpose as for the purpose of stopping emigration from other areas?—That is partly so, but the two must go on together.

The Commission adjourned.

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APPENDICES.

APPENDIX I.

APPENDIX I

DOCUMENT put in by Mr. J. A. MULLENS in connection with the Evidence given by him before the Commission.

Return of seven typical Trustee Investments, showing the yield from each at the average price on March 31st in each year, from 1901 to 1906.

SECURITY.	1901.		1902.		1903.		1904.		1905.		1906.	
	Price.	Yield.	Price.	Yield.	Price	Yield.	Price	Yield.	Price	Yield.	Price.	Yield.
London & North-Western Rly. Three per Cent. Deb. Stock	103½	2 13 0	101⅞	2 18 11	99½	3 0 4	94	3 3 10	100	3 0 0	94⅝	3 3 7
India Three per Cent. Stock, .	100⅝	2 19 9	100⅞	2 18 6	98⅝	3 1 0	95⅝	3 3 1	96⅝	3 0 10	96⅞	3 1 11
New South Wales Three per Cent Stock.	98	3 1 3	95⅝	3 2 11	86⅝	3 9 2	84½	3 11 0	88½	3 7 10	89⅝	3 6 10
London County Council Three per Cent. Stock	99⅝	3 0 3	96½	3 0 8	95⅝	3 2 8	91	3 5 11	97¼	3 1 3	92⅞	3 4 7
Great Indian Peninsula Railway "B" Anny.	21¾	3 8 3	22	3 2 6	21¼	3 4 8	21	3 5 6	22⅝	3 0 9	21	3 5 8
Liverpool Corporation Three per cent Stock.	No	Stock.	No	Stock	96⅝	3 2 0	89½	3 7 0	95⅝	3 3 1	94	3 3 10
Cardiff Corporation Three per Cent. Stock.	97½	3 1 6	97½	3 1 8	94½	3 3 8	87½	3 3 7	92	3 5 3	89	3 7 5
Average yield, .	—	3 0 3	—	3 1 0	—	3 3 4	—	3 3 5	—	3 2 9	—	3 4 10

APPENDIX II.

APPENDIX II.

DOCUMENTS put in by Mr. W. H. BOYD in connection with the Evidence given by him before the Commission.

A.—OUTLINES OF EVIDENCE.

I have been requested by the Executive Committee of the Irish Landowners' Convention to give evidence on their behalf on the general aspects of the subjects covered by the Terms of Reference.

I am a landed proprietor, magistrate, and deputy-lieutenant for County Donegal.

I farm about 500 acres of my own land, and I have been a land agent for about forty years.

Prior to the passing of the Local Government (Ireland) Act, 1898, I was for eight years Chairman of the Letterkenny Board of Guardians, of the Board of Governors of the District Lunatic Asylum, and of the Letterkenny Town Commissioners I was also Chairman and Treasurer of the local Loan Fund Board for many years, was a Grand Juror from 1875 to 1899, and was High Sheriff of County Donegal in 1892.

I propose to commence my evidence with the conclusions I have arrived at under the respective headings of the Terms of Reference, and then to support them by reference to the principles and facts on which I rely.

This course will more clearly indicate to the Commission the drift of my evidence, and its bearing on the points referred to.

The conclusions I have formed are:—

As to "The Operation of the Acts."

1. That Congestion (as defined by statute) covers a much larger area than does the real poverty that forms the acute problem most necessary to solve.

2. That real poverty exists outside the scheduled areas, and that much inside the scheduled areas has no need of exceptional treatment.

3. That it is a fallacy to assume that the enlargement of holdings generally to £10 valuation, will be any cure for much of the poverty that does exist within scheduled areas.

4. That the Congested Districts Board and the Parish Committees have been the most successful organisations hitherto employed to bring hope, help, and improvement to those in real need. That their operations have been hampered by want of funds, restrictions imposed by the Treasury and Estates Commissioners, and certain legal doubts and difficulties.

5. That the agricultural operations formerly carried out by the Congested Districts Board and transferred

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to the Agricultural Department, were better and more efficiently performed by the Congested Districts Board in congested districts than they have been since they were transferred to the Department.

6. That industrial and technical instruction in congested districts should, where possible, be carried out through the Congested Districts Board.

As to outside Areas requiring to be Scheduled.

7. The converse of this proposition being equally true, power should be taken to allow areas of any size, but susceptible of clear and definite delineation, to be either included in or excluded from scheduled areas. A mere omission of the one-year limit of time in section 36 (2) of the Act of 1891 dealing with this subject would not suffice, as electoral divisions are the unit of measurement therein adopted. Any amendment should provide for townlands and irregular districts being dealt with as hereinafter more particularly explained. Local knowledge is the best guide to such areas, but ought to be kept in check by official inspection before being either scheduled or removed from the schedule.

As to Lands Available.

8. A fallacy underlies this in the assumption that enlarging a holding necessarily results in relieving poverty. It certainly will result in removing statutory congestion by raising the valuation per head above £1 10s. There are thousands of acres available throughout Ireland, in almost all directions, that, if bought at a fair price from the owners, will be available for migrants. Those nearest to a carefully revised schedule of congested districts would be the most suitable. Care should be taken not to attempt to till land that can be grazed to greater profit, nor to transfer migrants untaught and ignorant of agricultural methods to lands that require good farming to make them profitable.

In thickly populated parts, and where rundale and mixed plots abound, if a judicious system of emigration was encouraged of whole families it would result in good to the individuals, and to those left whose holdings could be enlarged, and the cost would be far less than that of migration. Colonies of emigrants could be placed in Canada with manifest advantage.

As to Changes in Law and Administration.

9. The following changes in law are desirable:—

(*a*). Revise the definition of congestion, and in place of basing it on an average valuation per head and percentage of population in electoral divisions (which characterises it as solely agricultural, and does not take any consideration of the want of, or existence of, any industrial and technical pursuits), let it rather be based on want of employment (agricultural, industrial, or otherwise), that results in poverty, either chronic or intermittent. The Local Government Board Inspector to be the authority to decide subject to review. Meantime, let the present areas as scheduled be taken as such.

(*b*.) The schedule should include the districts or areas requiring relief, and should include the estates purchased by the Congested Districts Board, or such as are transferred to the Congested Districts Board after being purchased by the Estates Commissioners under sections 6, 7, and 8 of the Act of 1903. The Congested Districts Board should have full powers to carry out its work and to expend its funds upon any lands included in the schedule.

(*c*.) The law should be altered to enable the Congested Districts Board to clear the equities in cases of the title of lands, where land is surrendered and consolidated, or transfers take place from one holder to another.

(*d*.) Compulsory purchase is absolutely unnecessary and uncalled for, unless it is proved that sufficient land for the relief of congestion cannot be obtained by voluntary sales. At present large areas of untenanted land could certainly be obtained voluntarily if a fair price were offered, and if the uncertainties, hindrances, and delays which now attach to sales were removed.

(*e*.) The Estates Commissioners or the Congested Districts Board may purchase estates in any part of Ireland, but in the former case the Estates Commissioners should convey them to the Congested Districts Board to administer if any portion of them is congested, or is to be used for the relief of congestion.

(*f*.) Remunerative employment being the great necessity for improving the condition of the poorer parts of the country, grants should be made to carry out the following and similar works reproductive or otherwise.—

(1.) Fishery piers, boats and equipage for fishing at all suitable stations, by the Congested Districts Board.

(2.) Roads, bridges, and improvements in thoroughfares, especially in tourist routes, and where access to bogs or sea-weed is at present wanting or defective.

(3.) Turf industry, either by way of bringing large supplies into connection with the coast for supplying fuel as required, or the making of peat litter, etc.

(4.) Appointment of local agricultural experts to reside in districts to instruct and advise the peasantry on farming operations.

(5.) The extended establishment of Co-operative Trading Societies and Loan Banks, wherever the conditions are suitable.

(6.) The supply of seed potatoes in exchange for equal quantities of those grown on the farms supplied, especially in localities where failures or partial failures of the potato crop are frequent.

(7.) The extension of technical training (including agricultural) in all branches of useful industry.

(8.) The opening and working of quarries, and mines wherever there is fair prospect of deriving profit therefrom.

(9.) Facilities for voluntary emigration of families from maritime and other areas where the people will not migrate, and where there is no land to enlarge holdings.

In support of conclusions (1), (2), (3), and (8), I submit:—

1. That Ireland has made, and is making, rapid advances in the career of improvement, as evidenced by—

(*a*.) The capacity for accumulating capital;*
(*b*.) Increase of trade and ship tonnage;
(*c*.) Rise of agricultural produce in price;†
(*d*.) Increase in number and value of stock;
(*e*.) Rise of producing power of the soil;
(*f*.) Great increase of all means of communication by land and sea;
(*g*.) Comparison of Census Returns;
(*h*.) Educational statistics.

2. That the statutory definition of congestion being based on an average valuation per head, and a percentage of population in one electoral division, characterises congestion as due solely to agricultural causes, whereas poverty resulting from want of employment, whether agricultural, industrial, or otherwise, is the real cause of distress, and often exists in more acute form in towns than in rural districts.

3. The areas in which congestion exists have been classified by Mr. Doran as A, B, and C, but, in my opinion, large areas within the scheduled districts require no such exceptional treatment as proposed, while certain small areas in otherwise good districts require help.

Wherever industrial or technical instruction of a practical kind can be given, there will be an immediate alleviation in the struggle for existence, and an improvement in the habits and self-reliance of the people.

Isolated spots of so-called congestion are nothing new. Formerly they were common, and in many cases landowners broke up villages, consolidated the

* See Banking and Post Office Returns, page 243.
† See Returns of Prices, page 243.

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holdings, and put every man living on his amalgamated farm, with great advantage to all concerned Natural forces will, if left alone, still operate in the direction of the survival of the fittest, whereas the new doctrinaire suggestions aim at the survival of the unfittest, and the penalising of the thrifty and provident, wholly contrary to sound economic doctrine.

Certain parts of the maritime seaboard certainly contain a dense population of very poor people. Some of them migrate to England, Scotland, and even to America for work, and bring back large sums with them, and idle most of their time when at home, but live in fairly decent circumstances, and can pay 2s. 6d. a pound for tea! Nothing should be done to check this migratory labour, for it is useful to the individual and the community. Others can earn good wages at some of the industrial pursuits now not uncommon in many of the poorer parts; others earn large sums, almost fabulous in some places, from the fishing industry, and this should be helped and extended wherever possible, and started where conditions are favourable. But there is a class that require something more, and, so far as I can learn, the areas inhabited by them are strictly limited, where migration for labour does not take place to any large extent, where they never will migrate inland, but would sooner leave the country, and where the standard of living is distinctly low. The only remedy for such is, in my opinion, a well-considered and organised scheme of emigration. Such was very successful under the late Mr. Tuke, but statistics show it has greatly fallen off, as under —

EMIGRATION.

In 1899.	41,232	Emigrated.	Ratio to Population
,, 1900	45,288	,,	—
,, 1901	39,613	,,	8·9
,, 1902	40,190	,,	9·1
,, 1903	39,789	,,	9·0
,, 1904	36,902	,,	8·4
,, 1905	30,676	,,	7·0

The only districts that exceeded one per cent. of population were in the congested areas, viz. —

Clare,	1·2 of population.	in 1902.
Kerry,	1·1 ,,	
Galway,	1·3 ,,	
Leitrim,	1·2 ,,	
Mayo,	1·3 ,,	

Land Law Act 1881. Sect 32. Repealed Act, 1891. Sect 35.

Arrears Act, 1882. Sect 20. Repealed Act, 1891. Sect. 25.

Tramways Act, 1880. Sect. 12. Repea lsd Act, 1891 Sect. 35.

Purchase Act, 1891. Sect 37 (1) (a.) Also Sect. 39 (1) (a.)

These facts are instructive. Sir Horace Plunkett advocated emigration to Canada after a full consideration of the subject and an intimate knowledge of both countries. Numerous grants of money have been voted by Parliament under Tramway and other Acts (£200,000 under the Tramways Act, 1883) for this purpose. If suitable authorities organised colonising, such as took place after the famine time, and sent a ship load of peasants, in charge of one of their clergymen, to farms and lands previously provided for them in Canada, it is the only solution for certain relatively small areas of great poverty. I am informed that about Melbourne to this day Irish emigrants are grateful to the British Empire for having sent them out at the time of famine. Emigration is the method adopted oftentimes by the families of the better class, and proves most successful; why should those in want be prevented adopting it also?

Certain districts get on fairly well except for the recurring danger of potato failure. This could be much mitigated by a liberal supply of new seed, to be exchanged for an equal quantity of their own growing.

As regards migrants to inland districts, it is a fallacy to suppose that levelling up to a £10 valuation will remove distress, unless men are first trained to industrious habits and knowledge of modern farming methods. The want of ordinary agricultural knowledge seen through the congested areas is very marked. Improvement in this direction must be necessarily slow.

Mr. Finucane refers to the condition of agriculture in Belgium as proof that the same results may be obtained in Ireland, and Belgium is often by others held up as a model of what Ireland might be. But there is another side to the picture. Only one-fourth of the inhabitants of Belgium are agriculturalists, and this one-fourth includes all female farm servants over twelve years of age. A large proportion of the inhabitants live underground in the coal and iron mines with which Belgium abounds. The example of France, again, is constantly obtruded on the English public as suggesting an expedient for the regeneration of Ireland. The following is the opinion of a distinguished Frenchman, M. de Molinari, a scientific economist, who has devoted special attention to industrial and agricultural questions, and, being a Belgian by birth, is especially familiar with that system of small holdings which has been so often recommended as a remedy for Irish discontent. The letters, from which the following extracts have been translated, originally appeared in the *Journal des Debats* during August and September, 1880, and they contain the deliberate conclusions of M. de Molinari on the subject of the Irish crisis after a personal visit to Ireland. He declares —"The general rate of the rents is moderate," and "for the same quality of land it is one-half lower than the rate of the rents in Flanders." On the subject of peasant proprietorship he says —"Examples in support of this view are not wanting. In particular the case of the peasant proprietor of France and Belgium is quoted. The advocates of the system, however, fail to add that the sub-division of property in France and Belgium has been the work of centuries, and that the peasantry, before becoming proprietors, acquired those qualities of order and economy which are indispensable to the good administration of property. They worked and saved, sou by sou, the capital which they employed, first to acquire and afterwards to extend their little possessions. Nothing of that kind is sought in Ireland of the Irish tenants. It is proposed in their case to do away with the apprenticeship to property . . . . the worst result of this artificial combination will be to reduce agrarian pauperism in Ireland to a system . . . . Small farmers, where the soil is cultivated in the old fashion, are to modern agriculture what the handloom is to modern weaving; and do not these philanthropists who desire to attach the tenant to small holdings by offering the bait of proprietorship practically bar the path to progress?" This eminent and impartial observer further holds that "all that is required for the evolution of the result which the force of circumstances is working out is that nature should be allowed to take her course," and that all that Government should aspire to do is to assist nature by well-devised schemes of emigration. He concludes by saying: "Ireland"—and this is the final conclusion at which I have arrived—"suffers not only from her disorders, but also from her doctors" In other words, Ireland has as much to fear from her political quacks as from her political disorders. These letters will repay careful perusal.

If in this connection it be concluded that every man, woman, and child born on Irish soil has a right to remain there, I am not concerned to dispute this, but what I do deny and protest against is the proposition that those who, in despite of natural and economic laws, persist in remaining where they affirm that they cannot live, have a right to set up a claim antagonistic to the interests of the rest of the community.

The majority of the Estates Commissioners seem to be under several delusions in their anxiety to abolish the zones and cut down prices.

They seem to think that a very small holding, what they call an "uneconomic" holding, *i.e.*, a holding out of the produce of which a man having no other sources of livelihood could not support a family in comfort, is bad security for an advance.

The tenants with from three to five acres of land (say 15s. to 50s. valuation) are often very comfortably off; they avail themselves of the demand for occasional labour in the district.

Their income is less precarious than that of the twenty and thirty-acre farmers. Half of it is received in cash for wages for labour, and only half is exposed to the vicissitudes of weather and risks of farming operations generally. No holdings are better security for advances than these. The instalments are likely to be regularly paid, and in case of default,

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APPENDIX II.

the value can be readily realised, as there are more competitors for such holdings when sold than for larger farms, and they always realize comparatively high prices.

The Estates Commissioners seem to be under the further delusion that the lower they can cut the price and the instalments the less the risk to the Treasury and the Irish guarantors.

This is not so. Every landlord and agent of any experience knows that very low rents are not easier to collect than moderate rents.

Without wishing to state it too strongly, I may say that energy and industry are not characteristics that it would occur to me to attribute generally to the Irish peasantry. The best incentive to encourage these virtues is the necessity that arises to cultivate the land for the producing of profit to meet a fair rent. In time the "magic of property" may replace the spur of having to pay rent as an incitement to make the most of the land; but during the transition period no worse injury could be done to the interests of the whole agricultural community of Ireland than by adopting a course by which resident landlords will be unduly impoverished and prevented recovering gradually from the trials of the last twenty-seven years, with the help of the bonus, in order that the purchasing tenants may start as proprietors on exceptionally easy terms as regards annual payments.

In support of conclusions (4), (5), and (6), I submit—

That the results of the Congested Districts Board work and of that of the Parish Committees are eloquent testimony to the efficiency of these organisations. Passing through the country affected, one can see and hear of their success It would be a crime to discontinue this work or hamper it in any way. It should be encouraged by the grant of greater facilities and more money. The reason of its success is not far to seek. The Congested Districts Board has secured the services of men who command the confidence of the people, and so long as their work is manifestly successful, so long should they be given a free hand. To transfer the work to another Department would be unjust to the men who have devoted time and labour freely to attain the results observable. Besides this, as compared with the Agricultural Department, the principles they work on are dissimilar. The Congested Districts Board brings help to the door of the destitute. The motto of the Agricultural Department is "We help those who help themselves" They require a rate in aid from a county before they will formulate a scheme in aid of that county, and when formulated it extends over the whole county on the same basis, to rich lowlands and congested areas alike. For example, in Donegal there is a district about Glenties that is a sheep-rearing district The scheme suitable for the rich lowlands about Strabane is wholly unfitted for this Glenties district. Consequently, from the inapplicability and inelasticity of the scheme, the amounts voted are not used. One penny rate on the county raises £1,274. The Department gives the equivalent of 1½*d.* rate, *i.e.*, £1,911—in all £3,185. In the year 1905-6 there remained unexpended £1,040. No single district expended the amount of its rate plus the grant. This proves the schemes are not suitable. The lowlands are clogged by union with the congested districts; the latter are starved by being tied to the former. The Congested Districts Board consults the local requirements; the Department makes rigid schemes based on sound principles if applied to districts in which the conditions are uniform. The *raison d'etre* of the Congested Districts Board is to bring up the lower standard of life in congested areas to the normal condition, and till this is universal, their work should be carried on. Lectures and classes and experimental plots are admirable means of instruction for well-educated and experienced farmers, but you might as profitably talk Greek to a Claddagh fisherman as expect the doctrines and scientific nomenclature of modern agriculture to convey anything to an inhabitant of Gorumna.

At the same time, I take exception to some of Mr. Doran's evidence as evincing a want of sound economic basis, and his views on compulsion, applicable alike to owner, peasant proprietor, and migrant, rather shake my faith in other parts of his evidence that appeared reasonable. Surely he knows Ireland and its people too well to advocate coercion in its most vicious form.

In support of conclusion (7) I submit that the schedule requires revision by both inclusion and exclusion of certain areas If poverty is the test (as I contend it ought to be), arising from want of employment, either agricultural or industrial, it will be found that such exists outside the statutory definition, and that certain parts within the present schedule should be excluded. Hence an electoral division is too large a unit; even a townland, which is sometimes very large, may include great poverty side by side with economic conditions. I should prefer allowing any district susceptible of clear delineation being dealt with, either by way of inclusion or exclusion. Any attempt to permit this allocation of districts to be made by local bodies would be fatal to its success, or to give local bodies representation in the Congested Districts Board for the administration of its funds. Absolute independence must be secured to the Congested Districts Board if its operations are to be successful. Independence from popular pressure, and independence from Treasury red tape.

In support of conclusion (9) I submit—

Enough has already been said by me on sub-paragraphs (*a*) and (*b*). I proceed to support (*c*), (*d*), and (*e*). I submit—

These paragraphs raise questions on which much evidence has already been given, some of it most misleading.

I shall have to deal at length with some of the points referred to, viz.:—

1. The hindrances to the sale of tenanted estates;
2. The hindrances to the sale of lands in owners' hands;
3. The sale prices of estates;
4. The sale price of grazing lands;
5. The security for the advance;
6. The title to lands and purchase money.

Landowners strongly object to the manner in which the Land Acts are administered. They admit that the second term rents must now be taken as basis of purchase, and they submit that said rents represent a very safe basis on which to calculate purchase transactions. The Estates Commissioners appear to be taking the same line as the tenants' advisers, and are trying to force down the purchase prices to a level below that contemplated by the Land Conference or Mr. Wyndham on the introduction of his Act in 1903.

The landowners, as represented by the Landowners' Convention, have a profound distrust of the Estates Commissioners, based on their actions and words, and their report and evidence before this Commission, which exhibit partisanship, partiality, deficient knowledge on most important branches of the subjects discussed, with a zeal that oftimes outstrips knowledge, together with a lamentable lack of that impartial judicial attitude that should characterise a quasi-judicial body, especially one dealing with such delicate and conflicting interests as are associated with the purchase and sale of land and its transfer from owners to tenant proprietors.

These are strong statements. I proceed to justify them.

Only that other objects of great popular interest occupied the minds of the people of these countries when the Estates Commissioners' Report for 1906 was made public, it would have received a fuller and more searching criticism at the hands of the public Press than actually fell to its share. It is in several ways the most remarkable document that has ever been issued by a Government department, and creates a new departure from all former precedent.

In the first place we have the frank announcement that the Commissioners are at variance among them-

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selves as to the primary scope of their functions. They differ on :—

(*a.*) Page iv. Instructions to Inspectors;

(*b.*) Page v. As to principle for estimating security.

(*c.*) Page viii. On fixing prices;

(*d.*) Page viii. On the factors to be taken into account in fixing prices;

(*e.*) Page ix. Declaration of "Estate";

(*f.*) Page xiii. Comparison of Averages.

We further find in this Report hostile criticism of some of the principles of the Act of 1903, given by the officials appointed to administer the Act.

Mr. Wrench has been a Land Commissioner since 1887, and has had the advantage of being associated with such able men as Judge O'Hagan, Mr. Justice Bewley, and Mr. Justice Fitzgerald, whereas the other two Estates Commissioners have only been three years in the Chief Commission of the Land Commission Department. One of them has little or no experience of Ireland, and the other is a gentleman whose past experience is in connection with the rent-fixing tribunal.

In one particular the Report makes a notable departure, much calculated to prejudice the purchase value of an estate against the vendor in the minds of the public.

On page xiv., it abandons the relative term of years' purchase, or percentage of reduction, and gives land prices in the standard quotation of cost per acre! Manifestly, an average of this sort, which is merely an arithmetical mean between the highest and the lowest prices given, and includes all manner and quality of land from a snipe bog to good grazing land, is a misleading indication of the selling value of an estate. Moreover, the Commission proceed to compare the prices ruling on this basis before the Act of 1903 with those under it, and draw conclusions as to the marked appreciation that has occurred. The whole value of these conclusions depends on the identity of the things compared, a point which the Commissioners neither refer to, nor attempt to prove.

Clearly an attempt should have been made to ascertain whether there was any marked difference in quality or circumstance between the lands sold prior to 1903, and those now being disposed of, before arriving at, and publishing, any such conclusion. It is wholly unreasonable to fix one average acreable price as the selling value of land, when the estates that form units in the average vary in quality and circumstances, both *inter se*, and individually, in the quality of land comprised within them. It is notorious that the former Land Purchase Acts left untouched most properties owned by solvent landlords and occupied by punctual tenants. Most of the earlier transactions had the character of forced sales which would under no circumstances furnish a fair standard. The average rate per acre under the Act of 1903 is stated to be £13 4s. It is a new idea that a tenant can purchase the fee-simple of an acre of land for the price of a cow, with the difference that he has to pay for the cow in cash, but can procure a loan to pay for the land!

It is right to point out that Mr. Wrench differs from this procedure.

In the negotiations which led up to the Act of 1903, it was generally recognised that further inducements were necessary, and that a gap had to be spanned between what owners would consent to take and what tenants would be willing to give. It was because of this fact that the advantages of the Wyndham Act were offered.

The framers of the Wyndham Act were quite aware that an increase of price was to be expected. In the course of his introductory speech, Mr. Wyndham used these words :—"It is a safe estimate to say that the money side of this problem is £4,000,000 worth of second term rents in any one year." That is to say, that the Land Act was designed to dispose of a rental of £4,000,000 when reduced to the basis of second term rents. What then was the capital sum appropriated for this transaction? The 17 or 17·5 years' purchase paid under the Acts of 1885, 1888, 1891, and 1896, would have pointed to 68 or 70 millions. Yet, Mr. Wyndham specified 100 millions in his speech, and based the 12 per cent. bonus upon that figure. He foresaw, as is evident, that future transactions were not to be governed by past experience. Now, £100,000,000 is twenty-five years' purchase of the estimated rental of second term rents. We find from the Commissioners' Report that second term rents (that is, rents fixed since August, 1896), are selling at 24·8 years' purchase, a figure safely within the margin indicated by Mr. Wyndham.

So, in contradistinction to the views of the majority of the Estates Commissioners, there seems to be good ground for laying down three propositions :—

(1.) That the price of land selected by the Estates Commissioners is not a fair example;

(2.) That so far as prices are now higher than previously, the fact is due to the better class of most of the estates;

(3.) That such increase of price was foreseen and provided for by the framers of the Land Act of 1903, and is well within the limits laid down by them.

Can it be cause of surprise that landowners regard with distrust the administrators of this Act, when in their public Report the Commissioners show such slight regard to the fundamental principles that Parliament intended should guide their actions?

The special object of the Wyndham Act was to get land purchase out of the rut it had got into, and which was condemned by the Fry Commission, on the evidence before them, as exhibiting too great caution as regards security for advances.

The majority of the Estates Commissioners, by this Report, and by their evidence before this Commission, seem now disposed to adopt in an exaggerated form the worst faults of the old Purchase Commissioners as described by the Fry Commission; or, as once described by one of the old Commissioners, who said that the position they were placed in, as regards the Treasury, forced them, in conducting their sale business, to act as "bears of the market," as "brokers to the mortgagees," seeking to secure the widest margin of security for this Treasury advance, instead of furthering sales within the zones, *i.e.*, within the limits intended by Parliament, and thereby encouraging the giving of prices which would offer some inducement to the majority of landlords to sell.

It should be made clear to the majority of the Estates Commissioners that their business is to facilitate, and not to obstruct, sales from landlord to tenant, and that the Estates Commissioners were given considerable discretionary powers beyond those given under former Acts to the Purchase Commissioners, in order that they might be able to get over difficulties of various sorts, not in order that they might create them, and ride off on crusades in the fancied interest of the British taxpayers, or the guaranteeing Irish ratepayers, or ingenious and impracticable theories as to the exact size which all Irish farms should be levelled up or down to, and what kinds of investments, as regards security, are equivalent to Irish land of various kinds, etc., etc.

I will now deal with the question of the price that landowners have a just claim to expect to realise for the sale of their estates, and the security that the land offers for the advance of the purchase money.

Griffith's Valuation.

I do not attach much importance in individual holdings to the amount of Griffith's Valuation; it is neither relatively nor actually a good guide to what the rent should be. I must, nevertheless, touch on it, because I observe that a good deal of evidence has been given to your Commission on the subject of a misleading and erroneous character (I need hardly

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add I am sure this was unintentionally done and probably arose from the witness not being conversant with the subject). The question has an immediate bearing on the subject of fair price and adequate security, because the present second term rents in the aggregate nearly approximate to Griffith's Valuation, and if it be shown that the latter is distinctly and considerably below the present value of the lands, it would follow that second term rents taken as a basis for purchase leave ample margin for security.

Commissioner Finucane's evidence on Griffith's Valuation, from Query 15408 to 15445, is so full of fallacies and errors that it will be shorter to explain the circumstances of the valuation.

The Townland Valuation Act of 1844 first started what is now known as Griffith's Valuation, and the scale of prices given in it, and quoted by the Devon Commission in 1844, is the scale that Mr. Finucane compares with present-day prices; but he omits the fact that several other Valuation Acts were subsequently passed amending the Act of 1844, which quickly culminated in the 15 & 16 Vict., c. 63, 1852, which aimed at unifying and completing the whole valuation of Ireland, and a much reduced scale of prices was set forth in it, to be applied not only to all new valuations, but to all valuations in process of being made. This is in operation ever since.

These prices are considerably lower than those in the Act of 1844, and there has been a considerable increase in all the prices (except wheat, which is now very little grown in Ireland) when they are compared with the prices at present obtainable. The following table makes this point clear:—

TABLE OF PRICES.

PRODUCE.	Scale of Prices in Act of 1844 quoted by Commissioner Finucane	Scale of Prices in Act of 1852	Present Prices 1906 (as given by Commissioner Finucane).
	s. d	s. d.	s. d.
Wheat, ...	10 0	7 6	6 10
Oats, ...	6 0	4 10	5 7
Barley, ...	7 6	5 6	7 0
Butter, ...	69 0	65 4	95 0
Beef, ...	33 0	35 6	53 0
Mutton, ...	34 6	41 0	65 0
Pork, ...	25 6	32 0	53 0
Flax, ...	—	49 0	—
Potatoes, ...	1 7	—	2 10

What is to be thought of Commissioner Finucane's deliberate statement that the valuation made sixty years ago would be much higher than the rent if fixed now?

The Devon Commission Report, a useful document in its day, is not a reliable one for making up the present state of landlord and tenant questions, considering it was compiled sixty-two years ago. Mr. Finucane's further statement that rentals show twenty years' arrears held against tenants is a similar blunder. As the Arrears Act of 1882 cancelled almost all arrears, and as no tenant can now be evicted for non-payment of rent for more than two years' rent, he should have been more careful to inform himself before recording such prejudicial statements against landowners on the records of your Commission. I have, moreover, had considerable experience, and made extensive inquiries on this subject, and have failed to find a single instance in support of Commissioner Finucane's statement. The absence of judicial judgment, and the one-sided tendency in much of the evidence given by the majority of the Estates Commissioners, are ground for well-founded complaint.

Further, the valuation under the Act of 1852 was made on an estimate of the net annual value of the land with reference to the statutory scale of prices, all peculiar circumstances being taken into account, and all rates, taxes, and public charges, if any (except tithe-rentcharge), being paid by the tenant. The Act, furthermore, contained a provision that improvements effected within seven years preceding the valuation should not be taken into account. This carries us back to 1845, the eve of the famine. Thus the great bulk of the moneys expended by both the landlords and the tenants during the past seventy-one years in improving their estates is excluded absolutely from consideration in estimating the value of the land in Griffith's valuation. We know that from 1847 to 1879 three millions of money were borrowed under Land Improvement Acts, of which two and a-half millions were for land improvements; and further, that large sums were borrowed under the Relief of Distress Act of 1881, and subsequently, and were expended in various forms of land improvement, and when we further take into consideration the improvement of means of transit by railways and steamboats that has since been effected, we see that Griffith's valuation must, in the aggregate, be much below present value. Now, there is no ground for concluding that because land originally valued as tillage land has been since turned into pasture it is consequently too highly valued, as stated by Commissioner Finucane. First, because we see that the prices in the Act of 1852 have not in any way fallen; and, secondly, because the land as pasture land has become pasture land from the fact that stock were found to pay better than produce. Land under oats decreased fifty per cent. from 1855 to 1900, while land in meadow increased sixty-five per cent. in the same time (page 308, "Ireland: Industrial and Agricultural"). Intelligent farming follows the line of cultivation that yields best profits, and the fact that land valued as tillage is now pasture goes to show it is more valuable as pasture than as tillage at present prices. Besides, it is an error to suppose that the price of cereals alone entered into the valuation of tillage land. A mixed farm produces crops and stock and is valued on a mixed system. Moreover, tillage turned to pasture reduces cost of labour, and also sets free labour to keep down cost of production elsewhere. All these arguments tend to show that Griffith's original valuation is lower by far than the actual value of the lands now, judged by present prices and conditions. The estimate made by a competent authority (Mr. T. F. Henderson, on the staff of the "Encyclopædia Britannica") is, that if valued at the close of last century, £5,000,000 would be added to Griffith's valuation of £15,466,564.

But it was asked, at query 15434, "with reference to your interesting figures on valuation, you say that the price of cereals has fallen since the period of Griffith's valuation." To which Commissioner Finucane replied: "Yes." This has been now shown to be contrary to the fact. The next query, 15434, was—"Is it not a fact also that the cost of producing those cereals has gone up?" Answer: "Yes I quite forgot that; that is another great element . . . . but the cost of cultivating has been probably doubled, the wages of labour has been certainly doubled since those days."

We have here a very inadequate and inaccurate statement of the relative effects of fall in price of produce and cost of production on the value of land. It is such an important point as bearing on two branches of this inquiry—(1) The amount of purchase money for land, and (2) the security for advances—that, with your permission, I will examine it further.

I will take as an illustration the case and figures given in the Fry Commission Report, as follows:—

"Let it be assumed that the gross annual produce of a piece of land is (say) worth .	£100
"That the cost of production was	40
"There will be left for distribution between the landlord and tenant	£60
"If, of this, one-third be abated to the landlord he will have £20 and the tenant two-thirds, £40	£60
"If now we suppose the value of the gross produce to fall twenty per cent., we shall have	£80
"And if costs of production remain constant at	£40
"We shall have left for distribution only .	£40
"If this be divided in thirds the landlord will take £13 6s. 8d. and the tenant £26 13s. 4d.	£40

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"In this case the landlord's share is reduced by thirty-three and one-third per cent.; *conversely, a rise in the prices of produce might justify a similar rise in the rent payable.*"

This illustration shows that a fall in the price of agricultural produce of any given percentage may obviously justify the reduction of rent by a greater percentage, cost of production being constant. But note well that the converse is also true, and that the rise in price of produce of twenty per cent. would justify a rise in rent of thirty-three and one-third per cent., *ceteris paribus.*

In above illustration the fall in price has been assumed to affect the whole produce of the farm. This must be accounted for either by an all-round fall in prices of twenty per cent. (an unheard of thing), or a still greater percentage of fall in certain articles of produce, the others remaining stable, or slightly rising, equally unlikely.

But now consider the case of an increase in the cost of production, which Mr. Finucane lays stress on as a "great element" in the reduction of value.

Take the same figures:—

Gross produce		£100
Cost of production		40
Net production		£60
One-third landlord	£20	
Two-third tenant	40	
		£60

Let the cost of production increase by twenty per cent., prices remaining the same, and we have:—

Gross produce		£100
Cost of production		48
Net produce		£52
One-third landlord	£17 6 8	
Two-third tenant	34 13 4	
		£52

That is to say, that an increase of 20 per cent. in cost of labour only causes a diminution of 13 per cent. in rent, so that the increase in cost of production of a certain percentage does not justify an equal percentage of rent reduction. Consequently, we conclude, with reason, that increased cost of production is not so potent a factor in the reduction of rent, as would be a corresponding all round percentage reduction in price of produce.

Furthermore, the factors in deciding a rise or fall in rent, or in the value of land, are not only (*a*) prices, which we see have risen, (*b*) cost of production, which we find is constant from 1881-1897, but also (*c*) the yield or producing powers of the land itself. Statistics show this to be largely increased.

Now, this examination has not been gone into with a view to showing that second term rents have been unduly reduced, though it might logically and consistently be applied to that object. Second term rents must be taken (be they right or be they wrong) as the basis of the purchase-money, but bearing in mind (what has been proved above) that all prices have materially risen, and that in the words of the Fry Commission Report, page 24:—"As regards the cost of production, though there is some difference of opinion, that difference is not wide, and, on the whole, our conclusion is that, in comparing the years 1881-2 and 1896-7, the cost of production may be treated as a constant in dealing with Ireland as a whole," and that statistics show that the produce or yield of land has largely increased. I say, bearing these three factors in mind, we arrive at this conclusion—that Griffith's Valuation of Ireland, as a whole, is below what a re-valuation if now made, at present prices, and cost of production, would exhibit. It may, therefore, be fairly concluded, that second term rents offer a perfectly safe security for purchase.

Price of Tenanted Land.

APPENDIX II.

I now come to consider the price that land should sell for.

The abolition of the zones, with the object of subjecting all holdings (judicial as well as non-judicial) to inspection, and possible revision of the prices agreed upon between landlord and tenant, would introduce an element of uncertainty into the financial results of the sale of an estate which would go far to stop the working of the Act of 1903.

Heretofore it has been possible, in most cases, for an intending vendor to make a fairly accurate forecast of the effects of a sale on his income, but the abolition of the zones would make such a forecast quite unreliable, and would deter a prudent landowner from embarking on a sale.

The inspection of all holdings would also increase the existing delays in the completion of sales.

Mr. Commissioner Finucane expresses his view on the price of land in reply to Query 15902, and I gather from it that he is speaking of the price that should be paid for tenanted land if compulsory powers were in force. He says:—"A full and generous price would, in my opinion, be a sum which, including the bonus, invested in securities safer than that furnished by the lands sold, would yield the vendors the normal *net income actually obtained* by him during a period of the preceding five or ten years." He would ascertain the net income by examination of the estate accounts, and, "if necessary, examine the income tax returns lodged by himself."

It is startling to find that one of the judicial administrators under the statute uses the expression "net income" in this part of his evidence in a sense different and contrary to that in which he and the other Estates Commissioners have unanimously agreed in their last published Report (1906), that this expression shall be used in relation to the purchase of land. On page vii. of the Report, we read, "By net income being meant, what would be the gross second term rental, less cost of collection and management, and bad debts." This is very different to "the economical net income actually obtained." In reply to Query 15924, it appears Commissioner Finucane would deduct costs of going into Court.

There is neither reason nor justice in estimating the selling value of an estate at a price that would simply secure present income, for these reasons.

With all the talk that exists of dual ownership, it must be borne in mind that the owner is still in full possession of the fee, and that the tenant does not own as much as a spoonful of soil on his holding. He has fixity of tenure, free sale, and fair rents, subject to certain conditions. He is the occupier, and the rent he pays is the rent put on the producing powers of the surface of the soil, nothing more. The owner is proprietor of all the timber, quarries, gravel pits, turf bogs, marls, clays, all minerals, and royalties of every kind on the estate, as well as the owner of the sporting rights (on many estates a most valuable asset). He has also (*inter alia*) his right to his prospective share in the increased value of land due to extension and rise of towns, and of new means of communication, and the development and establishment of industries.

Now, surely all this represents a money value something more than mere "net income secured." Besides, it may be called sentimental or whatever other name you like, but there is a certain status about an owner of property that gives position and other valuable adjuncts. To an owner who has not in former days misused his rights, and who has no desire to encroach on his tenants' rights, there are still all the pleasures attending ownership that make such men very loth to part with an estate that has been for generations in their family.

The "equitable price" agreed to at the Land Conference before quoted recognises this, as the following quotation shows:—

"That the owners should receive some recognition "of the facts that selling may involve sacrifice of sen-"timent, that they have already suffered heavily by

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"the operations of the Land Acts, and that they "should receive some inducements to sell."

The following considerations should be given due weight in determining the price of an estate:—

In the earlier Purchase Acts the holding was the area defined for sale. In the 1903 Act we find a definition of what an estate for the purpose of sale may be, and large powers are vested in the Commissioners enabling them to declare any portion or groups of portions of land "an estate" for the purposes of the Act.

In passing, I may observe that the statute gives no power to the Commissioners to "provisionally declare a property an estate," a practice which was their custom, but is now said to be abandoned; but a whip hand or lever is kept over the owner by suspending the declaration till the title is finally cleared to the purchase money. This is the cause of delay and much discontent on the part of owners, who feel that there is nothing unreasonable in requiring the constituted authority to declare that they are in possession of a certain thing (an estate) before they take any steps (involving heavy costs).

To return from this digression to considerations affecting the price of an estate.

It is evident that an estate *en bloc*, in the owner's hands, may be a better security for the aggregate amount of the purchase money than will be the sum of the several holdings when severally considered in relation to the portion of purchase money allocated on each holding. The separation into holdings is made to carry out the State's policy of creating tenant proprietors, and the decrease, if there be decrease, in security is not attributable in any way to the owner, or to any defect in the estate he offers for sale, and consequently he ought not to be mulcted on that account in his purchase money.

Again, one of the characteristics of ownership is liability to fluctuations in the value of the property. On what principle of fair play can an owner, parting with his property to another, be asked to guarantee that other (whether it be the State or an individual) against this liability common to all ownership? Yet this is admittedly done both in the case of tenanted and untenanted lands when sold.

It is said that the Irish landlord is simply a rent charger, and that the Irish tenant has been made part owner of the soil. This statement, as I have shown, is incorrect; but by making it the tenant's advocate bars the claim that the tenant (whom he calls part owner) should be protected from all loss consequent on fall in prices or otherwise, at the expense of the landlord (whom he calls a rent charger). If and so far as he is owner, the tenant should bear the loss of the fall in value of his property. If, and so far as the landlord is rent charger, he should be entitled to the amount of his rent-charge in full (without deductions to meet fluctuations in profits) as are all other chargeants, from the State to the mortgagee. Receiving this he would be only paid for the portion of his property representing the agricultural-producing power of the surface of the soil of his estate.

Now, with regard to the value of land. In the case of tenant purchasers under the Bright clauses of the Act of 1870, the Treasury, at the suggestion of the Irish Board of Works, fixed 24 years' purchase of the tenement valuation as the standard price of land, and sanctioned the advance of two-thirds of the loan to the tenant. Mr. Stack, Chief Clerk in the Department in the Board of Works, which administered the Bright clauses, gave evidence before Mr. Shaw Lefevre's Select Committee on the Irish Land Acts, sitting in 1878, to the following effect:—

In 1871 the Treasury allowed the Board of Works to increase the standard price to 27 years' purchase on the tenement valuation. The Board of Works in the following year raised the standard to 30 years' purchase on the valuation, and their action has not since been repudiated by the Treasury, and this, he it observed, is merely the basis of calculation for the Treasury advance, and not a limit to the price to be given for the land. The following is extracted from Mr. Stack's evidence taken by the Select Committee:

"Query 1732. The result of all that has taken "place between you and the Treasury, and what your "Office has done of its own accord, is that now the "basis of calculation is thirty times the tenement "valuation?—Yes.

"1733. And you advance two-thirds of that?—"Yes, we advance as much as two-thirds of it to the "tenant.

"1734. I believe even that has not given satisfac-"tion, and has not come up to the full value of the "holding in many cases?—In many cases it has not."

These alterations were made on memorials and representations from tenants. In other words, the tenants who purchased their holdings under the Bright clauses of the Land Act of 1870 were of opinion that the purchase money, of which they had themselves to provide one-third, and the other two-thirds of which they were bound to repay with interest at 5 per cent., was not adequately represented by 30 years' purchase on the tenement valuation.

Untenanted Land.

So far I have dealt with the sale of tenanted land. But there are some other considerations which must in justice be taken into account in the case of untenanted lands, and this category would include grazing lands let on eleven months' agreements.

Tenant right or occupation interest is a very real and valuable asset. Tenant right in Ulster differs somewhat from analogous customs in other parts of Ireland in its growth, history, and value, but, generally speaking, since the Act of 1870, Ulster Tenant Right, and any analogous customs outside Ulster, have been legalised, and the Act of 1881 gave every tenant in Ireland the right to sell to the highest bidder the occupation interest of his holding. This interest is valuable, though, of course, it varies in value according to the circumstances of each case. Proportionately, it is more valuable in the case of small holdings than of large, because the number of competitors for the smaller holdings are more numerous; but in every case, where the occupation interest as well as the fee is in the owner's hands, the value of the holding is considerably increased.

To measure tenant right by the number of years' purchase of the rent is the usual habit, but is an utterly absurd proceeding. The thing bought is not the rent, but the occupation interest.

This shows the want of fair play which owners endure when we find a valuer is sent out on their grazing lands with orders to fix a fair rent, and then deduct 15 per cent. for security, and the net result is taken as the basis of purchase.

In order to show what fixing a fair rent may mean I will give an example that occurred last January to myself. It will also show how diametrically contrary to fact is Mr. Commissioner Finucane's reply to query 16189:—"Here, I understand the presump-"tion (as to improvements) is contrary to the fact. "Whatever the presumption of the law may be, the "tenant has in fact to prove the improvements are "his." My case was as follows:—

I am tenant under Lord Southwell for some fields in the immediate neighbourhood of Letterkenny, County Donegal, a town of 2,400 population, with three banks, gas works, waterworks, and a railway station. I hold as mortgagee in possession, having entered on the holding in 1869 under a lease at £18 9s. annual rent. Recently I was advised by counsel that as I was in a position as quasi-trustee bound to account to the mortgagor's representatives for any surplus over and above my own debt and interest due, I had better sell my interest, taking care first to get a judicial rent fixed. Of course I had never taken Lord Southwell into Court, nor would I now have done so but from counsel's advice. The case was heard by the Sub-Commission. I gave evidence and conducted my own case. I stated the above facts, and, furthermore, told the Court I had received £35 a year for the lands from 1869 to 1899 and since 1899 £28 a year; that I had not done any improvements, and that the lands were always either grazed or in hay. After inspection they fixed the judicial rent at £9 3s.—more than 50 per cent. reduction. I should be surprised if Lord Southwell does not feel this to be a hardship. In practice what becomes of Commissioner Finucane's presumption in favour of the landlord?

How to Fix a Fair Price.

I have shown how inadequate the price would be if the purchase money of grazing lands and lands in the owner's hands were estimated by fixing a second-term rent on them. Yet two of the Estates Commissioners follow that practice.

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Is there any other guide as to the value of lands in the owner's hands? I am glad to say there is, as follows:—

The Inland Revenue Department assess income tax under two schedules. Schedule A represents ownership, and the full rate of tax is assessed under it on the valuation of all lands of which the payer is owner. Schedule B represents occupation, and one-third of the tax is assessed under it on all lands in the owner's hands, that is, which he occupies. This is equivalent to assessing the full tax on one-third of the Government valuation. It follows that the Inland Revenue authorities consider that the joint interests of owner and occupier combined in one represent a sum equal to the Government valuation *plus* one-third of that valuation.

In normal cases I think the income-tax assessment as above (Schedule A *plus* Schedule B) should be taken as representing the net income from untenanted land, and should be capitalised at a price which would yield the vendor the amount of that assessment as his net income.

In numerous cases, however, the net income is greatly in excess of that assessment. The vendor should therefore have the option of proving that his net income should be taken at a higher figure, and should be entitled to prove same by sworn evidence before a judicial tribunal with a right of appeal.

Concluding Note.

In criticising the methods of the Agricultural Department I would not wish it to be thought that I undervalue their work. On the contrary, I think it most useful, and in many respects successful, but I consider that the Congested Districts Board is certainly more suitable for congested districts.

In conclusion, I may say that if confidence in the tribunal be restored, and landowners are offered a fair price for their land, and the delays, hindrances, and losses now incurred removed, there will be an abundant supply of land offered for sale. Sales will go through more quickly, and the country be more satisfied than otherwise is likely to be the case.

B.—MEMORANDUM ON DRAINAGE BOARDS.

The altered conditions resulting from changes in the tenure and ownership of land in Ireland make it desirable to amend the Drainage Acts, so as to render more effective the powers therein provided and to introduce such amendments as the present circumstances demand.

The original code of Drainage Acts are contained in Statutes passed between 1842 and 1847. These were supplemented by others passed between 1853 and 1858. All these are superseded by what may be called the new code passed between 1863 and 1874, now in force, namely:—

26 and 27 Vic., cap. 88.
27 and 28 Vic., cap. 72.
28 and 29 Vic., cap. 52.
29 and 30 Vic., cap. 49 (Maintenance Act).
32 and 33 Vic., cap. 72.
37 and 38 Vic., cap. 32.

These Acts with subsequent amending Acts (if any), constitute the present Drainage Code.

Under these Acts loans can be obtained by public bodies, Drainage Boards, or individuals, for the purposes of drainage under specified conditions through the Commissioners of Public Works, Ireland, who represent the Treasury and prepare and approve of all plans and specifications and inspect the works during process of operations. Certain powers and initiative are given to Grand Juries and other public bodies, the former are (presumably) transferred now to County Councils. The formation of drainage districts and local drainage boards is provided for and the qualifications for electors and representatives laid down.

In addition to changes that are required to bring the foregoing Acts into better harmony with existing conditions, certain new factors have arisen requiring the enactment of new provisions, *e.g.*:—

(*a*) The maintenance of arterial drainage already completed.

(*b*) The maintenance of all river banks and tidal embankments by Riparian owners.

(*c*) Way-leave through adjoining owners' and occupiers' lands for purposes of drainage.

(*d*) Summary procedure in County Courts for neglect of duties imposed by any Drainage Board to be constituted.

The objects to be aimed at accordingly divide themselves into two classes:—

(1) The rendering more effective the present provisions with regard to drainage, with such amendments as are required; and

(2) The providing for such cases as have arisen mainly through alterations of land tenure and purchase.

It is suggested that as the latter form a very large and increasing proportion of the total requirements, that it would be desirable to create a new and efficient body to take up this work. A Drainage Board could be constituted as a branch of the Agricultural Department, that would be a good central authority for dealing with all such matters. The Land Commission as representing the Treasury have a direct interest in this question, inasmuch as the security for the land purchase annuities may be improved or diminished by the attention to, or, the neglect of, the execution, or maintenance of drainage works. Accordingly the Land Commission should delegate to the Agricultural Department such of its duties and powers as would contribute to the efficient discharge of this work. A competent engineering staff should be employed by the Agricultural Department for inspection and supervision, when necessary, in the construction of new works.

In addition to the central body indicated above, every County Council should appoint a County Committee as a Drainage Board. This Board should take the initiative in all ordinary cases, and should be subsidiary to and under the control of the Central Board. Appeal should lie from the local to the Central Board, both in regard to acts done or left undone. Independent Central control and supervision would be required over the actions of the County Boards especially at first.

The Board of Works both as representing the Treasury in these matters, and as executive authority in relation to drainage, should be superseded by the Central Drainage Board, and transfer made of all existing drainage works from the former to the latter Board.

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APPENDIX II.

C.—Copy of "Pink Schedule" referred to in Question 25189.

Form No. 39b.

Schedule referred to in the order of even date herewith fixing a fair rent

Holding in Urban District of Letterkenny.

LAND LAW (IRELAND) ACT, 1896.

Particulars of Holding ascertained and recorded pursuant to Section I.

County Donegal. Record No. 15284. Landlord, Viscount Southwell.

No of Ordnance Sheet 53. Tenant, Mrs. C. A. Boyd.

Date upon which holding inspected. 13th day of December 1906.

Who attended inspection on behalf of Landlord? } J. Moore

Who attended on behalf of Tenant? } J. Harper.

1. Give a concise description of the holdings and the buildings, stating particulars of aspect, elevation, water supply, situation as to markets, railways and county roads, etc. Also state how the holding is used, *i.e.*, as a tillage farm or as a mixed farm or as a grazing or dairy farm; if mainly a grazing or dairy farm state carrying power.

This is a long shaped holding No buildings. No particular aspect. Elevation not given on O.S. Quarter of a statute mile from Letterkenny market and three quarters of a mile from Letterkenny Railway Station. Adjoins a road kept in repair by the Urban Council. Is used as a grazing farm. The carrying power, 10 two-year-old cattle for the summer months. Ample water supply.

2. Is the holding suitably used? What is the present condition of the holding as to cultivation, and of the holding and the buildings thereon, as to deterioration or otherwise? If there be deterioration, state how it is shown and has apparently been caused, and give like particulars as to any improved condition.

Yes, and in good condition. The effect of the drainage is visible on the surface and the outlets are in good order.

3. Particulars of Tenement Valuation, Rates, etc.,

	£	s.	d.
(a) Tenement Valuation of Holding, ...	17	5	0
(b) Average Amount of Poor Rate payable by Tenant in respect of Holding excepting such deduction from Rent (if any) as he may be entitled to make under Section 53 of the Local Government (Ireland) Act, 1898, ...	5	16	0¾

Average for the past three years.

4. If the tenancy has been purchased since the passing of the Landlord and Tenant (Ireland) Act, 1870, give the date of each sale and amount of purchase money.

No.

5. State the Annual sum which should be the fair rent of the holding on the assumption that all improvements thereon (including Buildings) were made or acquired by the Landlord, and give details of Valuation.

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APPENDIX II.

Description of the several classes of land with the quantities of each class set out separately, giving the rate per acre. The several classes of grass and tillage land to be so specified that it may be apparent how much of each description is contained in the holding; each class separately valued to be marked with a letter to correspond with a letter on the map, and the boundaries of such class to be indicated on the map.

Letter on Map.	Description of Land.	Area in Statute Measure.	*Rate per Acre excluding Buildings	Total
		A. R. P.		£ s. d.
H	Alluvial soil, part on a boggy subsoil and liable to flooding, ...	8 2 10	25/-	10 14 0
	River and lane, ...	0 1 8		
	Total area,...	8 3 18	Total, ...	£10 14 0
	Specify any additions for buildings, and for mountain grazing, turbary outside holding, right of seaweed, or any other rights or privileges, or for proximity, or otherwise.	Proximity to Letterkenny, on £8 12s, 50 per cent.,		4 6 0
			Total, ...	£15 0 0
	Specify any deductions for special outgoings affecting the holding or for inconvenience of access, insufficient water supply, or other disadvantages	Railway Rate, Towns Improvement, Public Health, and Burial Grounds Act, 4s 4d. in the £ on £17 5s. 0d., average for the past three years.		3 14 8
	Annual sum which should be the fair rent of the holding on the assumption above stated, ...			£11 5 4

*The rate per acre to be estimated on the basis of the tenant paying all the Poor Rate in respect of the holding, excepting such deduction from Rent (if any) as he may be entitled to make under Section 53 of the Local Government (Ireland) Act, 1898.

6 State the improvements on holding made wholly or partly by, or at the cost of, or acquired by, the Landlord. } None.

7. State the improvements on the holding made wholly or partly by the Tenant or at his cost.

NATURE AND CHARACTER OF EACH SUCH IMPROVEMENT.	Present Capital Value.	Increased Letting Value due thereto.	Date when made as near as can be ascertained	Extent (if any) to which the Landlord has paid or compensated the Tenant in respect of each such Improvement	Deduction from the rent on account of each such improvement.
	£ s. d.	£ s. d.			£ s. d.
Fences, including open drain, ...	9 0 0	0 9 0	Time to time,	Nil, ...	0 9 0
6A 2R drained, ...	33 0 0	1 13 0	—	—	1 13 0
		Total deduction for Improvements, ...			£2 2 0

8. State any other matters in relation to the holding that have been taken into account in fixing the fair rent thereof. } Nil.

9. Fair Rent of the Holding £9 3s. 0d.

Dated this 14th day of January, 1907.

To be signed by Legal and Lay Assistant Commissioners. } Edw. R. Wade
John A. Smith.

Compared.

H.S.J.J.

Certified to be a True Copy.

R. M. Peter,

for

Keeper of Records.

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D.—Statement as to Sales of Tenants' Interests on Sir William Style's Estate since 1887.

No.	Townland.	Name of Tenant (Vendor).	Area. Statute Measure	Area. Irish Plantation Measure.	Griffith's Valuation.	Rent. Old Rent.	Rent. First Judicial Rent (N B.—Please mark * opposite rents fixed out of Court by agreement.)	If Judicial Rent, insert date when fixed.†	Date of Sale of the Tenancy.	Amount obtained for the Tenancy.	Number of Years' Purchase of the Rent.	Observations. (*Inter alia*, information would be useful as to quality and condition of land and buildings at date of sale, and whether improved or deteriorated by the outgoing tenant.) Where a *Second-Term Judicial Rent* has been fixed, please state here its amount, and the date when fixed.
(1.)	(2)	(3.)	(4.)	(5)	(6.)	(7)	(8)	(9)	(10)	(11.)	(12)	(13.)
			A. R. P.	A. R. P.	£ s. d.	£ s. d.	£ s. d.			£		*Purchaser.*
1	Tonduff,	Mary Carlin,	—	—	—	—	2 10 0*	—	1887	165	27½	Charles M'Namee, Galwally.
2	Do,	Denis M'Guire,	—	—	—	—	3 10 0*	—	1887			
3	Cloghanmore,	Catherine Harkin,	—	—	—	4 0 0	4 0 0	—	1888	110	27½	Paddy Houston, Cloghanmore.
4	Meengleharry,	Wilham Langan,	—	—	—	—	3 2 0*	—	1889	100	32¼	Cecily M'Devitt.
5	Garvoyne,	Paddy Boyle,	—	—	—	—	2 8 0*	—	1889	160	66⅔	Pat M'Ghee, Garvoyne.
6	Letterbrick,	Pat M'Gillaway,	—	—	—	—	1 8 6*	—	1890	45	31½	Peter M'Glynn, jun., Letterbrick.
7	Stranabratogue,	James Bonner,	—	—	—	3 4 0	3 4 0	—	1890	120	37½	Catherine Bonnar, Stranabratogue.
8	Magheracloy,	Pat M'Ginty,	—	—	—	—	4 7 6*	—	1890	130	29¼	Pat M'Ginty, Magheracloy.
9	Meengleharry,	Widow M'Gilloway,	—	—	—	3 15 5	3 13 5	—	1891	135	36 2/11	Hugh M'Glynn, Meengleharry
10	Larginalora,	Dan Ward,	—	—	—	1 5 6	1 5 6	—	1891	40	31½	Joseph Scanlin, Larganalore.
11	Brokagh,	John Harkin,	—	—	—	3 18 5	3 18 5	—	1892	110	28	Frank Harkin.
12	Ardlaghin,	Frank Harron,	—	—	—	1 10 0	1 10 0	—	1892	50	33½	James Herney, Ardlaghan.
13	Do.,	Pat Craig,	—	—	—	0 17 6	0 17 8	—	1892	50	57	Do.
14	Kilrane,	Anthony Gallagher,	—	—	—	—	2 15 4*	—	1892	120	43 1/11	John Martin and John Coyle.
15	Aghavoy,	Pat M'Carron,	—	—	—	—	4 0 8*	—	1892	160	40	Pat Marley, Aghavoy.
16	Meenagrava,	William Patton,	—	—	—	—	4 0 8*	—	1892	95	23¼	Elias Griffith, Altnapaste.
17	Cloneleigh,	Michael Gallagher,	—	—	—	—	3 7 8*	—	1893	160	47½	John Gallagher, Cloneleigh.
18	Letterahanboe,	James O'Donnell,	—	—	—	—	2 1 9*	—	1893	100	48	Dan M'Glynn, Cloneleigh.
19	Corlecky,	Thomas Patton, junior,	—	—	—	4 0 0	4 0 0	—	1893	225	56¼	William Houston, Stranabratogue.
20	Meengleharry,	James M'Glinn,	—	—	—	—	0 16 0*	—	1894	40	50	Paddy M'Glinn, Ardbalt.
21	Letterahanboe,	Neal Martin,	—	—	—	—	4 0 0*	—	1895	100	25	Charles Quinn.
22	Stranabratogue,	Pat M'Kilvey,	—	—	—	—	1 18 4*	—	1896	60	31	Michael Houston.
23	Letterbrick,	Margaret Kelly,	—	—	—	—	2 9 0*	—	1897	60	24½	Ed. Kelly.
24	Cloghanmore,	Thomas M'Creldy,	—	—	—	—	5 12 0*	—	1897	170	30½	Ed. M'Ginty.
							70 15 11			2,505		

† So far as I know all these rents were fixed out of Court by agreements filed, and at a reduction of 4s in the £1 on the old rents.

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E.—STATEMENT as to Sales of Tenants' Interests on the Estate of the DOWAGER COUNTESS OF KINGSTON, in cases in which the Tenants have purchased their holdings under the Irish Land Act of 1903.

No. (1.)	Townland. (2.)	Name of Tenant (Vendor) (3.)	Area. Statute Measure. (4.)	Griffith's Valuation. (5.)	Rent. Old Rent. (6.)	Rent. Judicial. (7.)	If Judicial Rent, insert date when fixed. (8.)	Date of sale of the Tenancy. (9.)	Amount obtained for the Tenancy. (10.)	Number of Years' Purchase of the Rents (11.)	Observations (12.)
			A. R. P.	£ s. d.	£ s. d.	£ s. d.			£ s. d.		
934	Moagh, ...	Michael Brennan, ..	23 0 10	6 15 0	—	3 1 4	Second Term,	14th Nov., 1901, ..	180 0 0	22½	Purchased under Act 1903 at 23-85 years, . £174
728	Drumcunny, ...	Jno Gughen, ...	10 0 33	4 5 0	5 17 0	3 10 0	Second Term.	31st Dec., 1900.	100 0 0	25	Purchased under Act 1903 at 23-85 years . £83
701	Drumboylan, ...	Jno Harvey, ...	26 1 11	6 0 0	0 15 0	6 15 0	First Term,	1903,	210 0 0	31	Purchased under Act 1903 at 20-77 years, . £144
804	Drumlahard, ...	A. Webb, ...	25 3 4	7 10 0	10 11 0	8 0 0	First Term,	27th April, 1903,	100 0 0	12½	Purchased under Act 1903 at 20-77 years, . £169
804	Lustia, .. .	Peter Cox, ...	1 0 8	0 18 0	1 0 0	0 10 0	Non-Judicial,	21st March, 1903,	26 0 0	17	Purchased under Act 1903 at 23-85 years. . £12
930	Moagh, ...	O. Tansey, ...	18 0 39	12 0 0	12 3 2	9 10 0	Second Term,	25th Oct., 1902,	180 0 0	15	Purchased under Act 1903 at 23-85 years, . £227
440	Kilmacroy, ...	G. Ballam, ...	*	*	21 10 0	12 9 6	Second Term,	26th Sep., 1902,	560 0 0	45	Purchased under Act 1903 at 24-61 years, . £303
615	Brackloon, ...	Jno. Regan, ...	20 0 11	5 10 0	5 0 0	3 10 0	First Term,	13th Oct., 1904.	66 5 0	19	Purchased under Act 1903 at 20-77 years, . £74
979	Cloonkeen, ...	J. Mulloy, . ..	20 0 20	10 10 0	11 3 8	9 0 0	First Term.	19th May, 1904.	240 0 0	26½	Purchased under Act 1903 at 20-77 years. . £187
803	Drumlahard, ...	T. Moran, .. .	20 1 2	7 5 0	8 11 2	5 15 0	First Term,	14th Oct., 1905,	145 0 0	25	Purchased under Act 1903 at 20-77 years, . £122
812	Do., ...	M. Dolan, ...	17 2 16	6 10 0	—	7 3 6	Second Term,	January, 1900,	137 10 0	19	Purchased under Act 1903 at 23-85 years, . £171
1133	Cloghmine, ...	Jno. Tivnan, ...	—	—	13 13 6	9 13 8	Second Term	3rd Feb., 1904.	250 0 0	25	Purchased under Act 1903 at 24-61 years, . £238
					†	83 15 0			2,704 15 0		£1,901

* Land only; area and valuation at present not available as books are away.
†Average annual rent is £9 19s. 7d. It will be observed that the tenants' interest in these twelve farms was sold for £293 15s. more than the landord got for the fee. These are the only holdings on this estate to which the above information applies, *i.e.* in which the tenants' interest has been sold, and which have been purchased under the Act 1903.

F.—STATISTICS as to Deposits and Cash Balances in IRISH BANKS and as to AGRICULTURAL PRICES. (See Question 22939.)

DEPOSITS and Cash Balances in Joint Stock Banks and Amounts of Deposits in Post Office and Trustee Savings Banks in Ireland in the years 1871 and 1906.

—	1871.	1906.
	£	£
Joint Stock Banks, ...	26,000,000	45,842,600
Trustee Savings Banks, ..	2,600,000	2,420,000
Post Office Savings Banks .	500,000	10,459,000

Extracted from "Banking, Railway and Shipping Statistics, Ireland," June, 1906, Diagram A, page 14, and Tables 1, 2 and 3, pages 8, 9 and 11.

AGRICULTURAL STATISTICS, 1905.

—	1886.	1905
	£ s. d.	£ s. d.
Wheat, per 112 lbs.	0 5 11¾	0 6 10¼
Oats, do, ...	0 4 11	0 5 7¾
Barley, do., ...	0 5 4¾	0 7 11¼
Potatoes, do, ...	0 2 5¼	0 2 10¼
Hay, do, ...	0 1 11	0 3 1¼
Flax, do, ...	0 5 7	0 6 8½
Store Cattle, 1 year old.	4 14 0	8 17 5
Do, 2-year old, .. .	7 14 10	9 11 8
Do., 3-year old, . (1887).	8 5 6	12 8 5
Springers. .. (1887).	11 12 9	13 7 3
Store Sheep, Lambs, ...	1 8 3	1 7 2
Do, over 12 and under 24 months old.	—	2 0 8
Do. 2-year old and over.	—	2 1 1
Meat, Beef, per 112 lbs. .. .	2 11 3	2 13 3½
Do, Mutton, do.	3 0 7	3 5 5
Do., Pork, do, ...	2 3 1	2 9 5¼
Butter, do, ...	4 8 5	4 19 5½
Eggs, ...	0 6 5	0 7 8½
Wool.	0 0 9½	0 1 0½

Extracted from "Return of Prices of Crops and Live Stock for the year 1905," pages 14 and 15

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APPENDIX III.

STATEMENT put in by the SECRETARY of the IRISH LAND COMMISSION in connection with the evidence given by Mr. W. H. BOYD before the Commission. (See Question 24267.)

IRISH LAND ACT, 1903—DIRECT SALES

Figures relating to Interest in lieu of Rent for the year ending 31st March, 1907.

COLLECTION.							PAYMENTS.				
Column (a).	Column (b).	Column (c).	Column (d).	Column (e)	Column (f).	Column (g).	Column (h).	Column (k).	Column (l).	Column (m).	Column (n).
Number of Tenants.	Unpaid by 1,054 Tenants at 31st March, 1906	Collectable from Tenants for the year ending 31st March 1907.	Total of Columns (b), (c).	Collected from Tenants during the year ending 31st March, 1907.	Unpaid by 1,487 Tenants at 31st March, 1907.	Percentage unpaid at 31st March, 1907.	Balance of Interest collected and due to the Vendors on 31st March, 1906.	Collected from Tenants during the year ending 31st March, 1907. (*Vide* Column "e.")	Remitted to the Vendors during the year ending 31st March, 1907	Balance of Interest collected and due to the Vendors on 31st March, 1907.	Observations.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£ s. d.	£ s. d.	£ s. d.	£ s. d.	
99,991	9,892 12 3	974,273 13 2	984,166 5 5	972,674 9 2	11,491 10 3	1·17	3,897 9 5	972,674 9 2	972,344 12 4	4,217 5 3	Of the sum of £4,217 5*s.* 3*d.* lying to credit on the 31st March, 1907, the sum of £2,195 remained unpaid to the Vendors owing to delays in the clearing of title.

APPENDIX IV.

RETURN put in by Mr. JOHN FITZGIBBON in connection with the evidence given by him before the Commission.

COUNTY ROSCOMMON.

(Excluding Towns and Villages of over 500 Inhabitants.)

NUMBER OF HOLDINGS UNDER CERTAIN VALUATIONS.

Non-Congested.

RURAL DISTRICT.	Numbers of Holdings.		
	Under £2.	Others under £5.	Others under £7.
Athlone, ...	1,137	807	562
Ballinasloe, ...	280	205	130
Boyle, ...	1,005	660	410
Carrick-on-Shannon, ..	376	220	137
Castlerea, ...	713	385	284
Roscommon, ...	1,473	907	550
Strokestown, ...	1,599	995	638
Totals, ...	6,583	4,179	2,711

Congested.

RURAL DISTRICT.	Number of Holdings.		
	Under £2	Others under £5.	Others under £7
Ballinasloe, ...	75	75	20
Boyle, ...	350	225	140
Carrick-on-Shannon, ..	122	75	45
Castlerea, ...	2,032	1,749	979
Strokestown, ...	200	85	70
Totals, ...	2,779	2,209	1,254
Gross Totals, ..	9,362	6,388	3,965

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APPENDIX V.

DOCUMENTS put in by LORD CASTLETOWN in connection with the evidence given by him before the Commission.

A.—DRAFT SCHEME FOR THE RE-AFFORESTATION OF IRELAND.

PART I.

Reason of Action by the Irish Forestry Society.

The Irish Forestry Society, being strongly convinced of the necessity for the intervention by the State in the question of Forestry in Ireland, and at the suggestion of various Members of Parliament, have prepared the following short report dealing as concisely as possible with some of the principal reasons why this subject is of such urgent and growing importance, and indicating the steps which they would ask the State to take in order to remedy the very unsatisfactory condition of affairs now existing, and to initiate a movement towards the afforestation of the lands at present lying waste and unprofitable in Ireland.

Composition of Forestry Society.

The Society, possessing as it does, the highest theoretical, technical and practical knowledge of Forestry in the country, and furthermore, representing in its members the widest divergence of all the interests connected with land, and the industries depending on land, claims to speak on this subject with an authority which deserves the very careful attention of all those interested in Ireland's welfare.

The Society, as time, and their knowledge of the subject in its development at home and abroad advances, is more and more convinced of the desirability of re-afforesting some of the surplus heath, mountain, and other waste lands. And they further believe that the time is especially opportune for such a movement.

Urgency of Afforestation Movement.

The reports of several Royal Commissions since 1885, have demonstrated the urgency of Afforestation, its desirability, and complete feasibility.

Owing to the operation of the Land Purchase Act, 1903, it has become imperative that steps should be immediately taken to secure, for the purpose of national Afforestation, some of the waste or barren lands suitable for planting.

The opportunities for acquiring such lands are at present unique, but it is obvious that if these opportunities are not availed of while they offer, that the difficulty in the future will be almost insurmountable.

Reasons for State Intervention.

It is sometimes asked, "Why should the State interfere in this matter? Why can we not rely on the laws of supply and demand, and the stimulus of Competition to secure the economic management of the existing wooded area, and the extension of this area, if desirable?"

The answer to this question is, that as a matter of fact the conditions heretofore prevailing have not tended to produce the best results either directly to the owner, or indirectly to the community; and that the percentage of land under trees in Ireland, though already the lowest of any country in Europe, or probably of any civilized country in the world, is steadily decreasing, in spite of a rapidly increasing demand for timber.

That it is one of the objects of a State, and its recognised duty as such, to take action wherever it can be shown that the result of such action will be to largely increase the prosperity of the community by the establishment of Industries, etc.

Forestry is a subject in which it is recognised by all European countries that action by the State is not only warranted, but essential.

Again and again, both individual authorities and Committees of Inquiry have demonstrated the urgency of such action, its desirability, and complete feasibility.

Report of the Departmental Committee.

In the Report of the Departmental Committee on British Forestry, held in 1902, Section 10 states that "It will be found in our evidence that experts of high authority have recorded the opinion, already expressed in many reliable publications, that the world is rapidly approaching a shortage, if not actual dearth, in its supply of coniferous timber, which constitutes between 80 and 90 per cent. of the total British imports.

"The great area of waste lands in these islands, which might be Afforested, and with regard to which such valuable evidence has been led, thus becomes a matter of grave national concern.

"No individual effort is likely to cope with such extensive Afforestation, not only because British Forestry as now practised, is inefficient, but because of the Capital required, the time during which it remains sunk before producing Income, and the lack of all security on private estates for continuous good management from the time that the forest is formed, until matured Timber is placed upon the market."

Again in Section 12:—

Condition of existing Woodlands.

"The present condition of existing woodlands has been repeatedly and clearly reviewed by many eminent authorities. It is the common verdict that Timber, of the kind and quality imported in such large quantities from the Baltic, and similar temperate regions, can be grown as well here as anywhere; in fact it is a matter of common knowledge that European "Red Wood" and "White Wood" so highly esteemed for structural purposes, are yielded by the Scots Pine and the Spruce, two of the commonest trees of British Woodlands. That foreign is so generally preferred to home grown Timber is in no way due to the unsuitability of soil or climate, but is entirely due to our neglect of Sylvicultural principles.

Climate or Soil not to blame for inferiority of British Coniferous Timber.

The belief that it is the climate of the British Isles which is to blame for our failure to produce Coniferous Timber, which will command the prices paid for imported timber of the same species, is so common that it cannot be too emphatically contradicted. As a matter of fact the conditions in England and Scotland, but especially in Ireland, are more favourable to the growth of profitable timber than those of most Continental Forests and Plantations which, by accident or design, have been treated according to the now generally understood continental system, have yielded Timber when mature that could not be excelled in any country in Europe.

Opinion of Professor Schlich.

Professor Schlich, whose reputation as a Forest authority is world-wide, says of Great Britain and Ireland in "Forestry in the United Kingdom":—"As regards Climate, there is practically nothing better to be desired as far as the production of Timber is concerned.

Timber Imports.

The Irish Forestry Society do not wish to prove wearisome by going over the oft-quoted statistics of Timber Imports; it will be enough to say that Great Britain and Ireland import more timber than all the rest of Europe put together, and that every year a fast increasing sum, at present amounting to about £27,000,000, is paid away to other countries for Timber and wooden goods, which could be equally well produced in Ireland.

That the increase in the price of Imported Timber, amounting during the last twelve years to 20 per cent., will steadily continue, is, the Society believes, the opinion of all authorities on the subject. This increase is caused by the exhaustion of the available supplies in the various exporting countries, and there is serious reason for believing that not only will the price further increase, but that the supplies will cease to be forthcoming in the quantities required.

The Society would refer those who have as yet doubts as to the coming shortness of Timber supplies, to

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APPENDIX V.

Professor Schlich's "Forestry in the United Kingdom,"* where this question is closely argued.

Other nations are alive to the possibilities of a Timber famine. In the United States a Bureau of Forestry connected with, but distinct from the Department of Agriculture, has been in operation for the past seven years. During that time the "Appropriations" or yearly grants for the purpose of Forestry, have been increased more than twelve-fold, and in 1903 there were over two hundred scientific workers in its employment, and a measure has recently been passed handing over 70,000,000 acres of Forest Reserve to its control.

A "Forestry Congress" was held in January last (1905) at Washington, at which 700 delegates, representing every kind of Industry that is dependent directly, or indirectly, on the Forests, were present, and at which President Roosevelt, speaking on "The Forest in the life of a nation" pointed out that in spite of all the substitution of wood by steel, cement, brick and stone, which has taken place in recent times, it was, nevertheless a fact that the use of wood was not only on the increase, but greatly on the increase, and that, if restorative measures on an adequate scale, were not immediately undertaken, a Timber Famine was inevitable, "and," he added, "the period of recovery from the injuries which a Timber Famine would entail, would be measured by the slow growth of the trees themselves."

The Forestry Society believe that there are yet stronger reasons, particularly concerning Ireland, for taking action.

Importance of Forestry as bearing upon Agriculture.

Agriculture can only hold its own, in the face of outside competition by the most strenuous efforts. The tide of emigration runs unceasingly from our rural districts, either to foreign countries or to our large towns. Rural industries must fix a rural population. Such industries are impossible, or, on an unsound basis, when the raw material they require, which could be produced on the spot, is imported from a distant source.

Industries depending on Forest Produce.

The production of suitable Timber in sufficient quantities promises to be followed by numbers of Industries, directly or indirectly depending on this supply of Timber, and affording healthy remunerative work to an immense number of people of both sexes and all ages.

In Germany over 40 Million Pounds is annually paid in wages to workers in the Forest or in the manufactures directly depending on Forest produce.

A feature of these Wood Industries is that they provide clean, healthy, constant local work to numbers of women and boys, not in crowded mills, but either at home or in local centres, in Toy making (for which alone Great Britain pays over £1,000,000 a year), Wood Carving, Brush Making, Basket Work, and numbers of other such employments which demands considerable artistic skill and ingenuity. As bearing upon the physical and moral advantages of these industries over the unhealthy crowding of Cities, an extract from "Consular Reports No. 596," issued by the Foreign Office, is interesting. In this Report Dr. Frederick Rose, H. M. Consul at Stuttgart, after giving figures showing that in the kingdom of Wurtemberg, which is less than one quarter the size of Ireland, the profits derived from Forests amounts to £1,200,000 annually, equal to 16s. per acre, or, deducting taxes, 14s. per acre clear profit on land of very low agricultural value, goes on to say, "The inhabitants of Forests, the Foresters, Woodcutters and other Forest workmen and dwellers are, as regards health, strength, and a certain native shrewdness and sagacity, superior to the peasants of the plain, as these again are superior in health, strength, and many sturdy virtues to the majority of the inhabitants of the town."

Benefits to Agriculture.

The benefits to Agriculture of an afforestation movement are far more direct than are generally understood. The advantage to stock and crops from the tendency of masses of trees to equalize the temperature, is not sufficiently appreciated, but in the opinion of the Forestry Society a point of the greatest interest to all classes of Agriculturists is that Forestry work, such as draining, fencing, planting, cutting, and carting, all can, and much of it must, be done in the winter. The small farmer and his sons together with the labourer, will thus be able to secure constant profitable work during months that are at present too often spent in idleness and dissatisfaction inducing to emigration. In Spring and Summer these men can return to Agricultural work. Those who know how vitally the difficulty of obtaining additional labour when required, has affected the profits, and indeed the existence of tillage farming in Ireland, need not be told that anything which alleviates this is of direct and immediate advantage to Agriculturists.

In closing these prefatory references, it must suffice merely to enumerate a few of the additional benefits to be derived from the existence of carefully administered forests, as, for instance, the regulation of natural drainage by equalizing of the flow of rivers and streams, which now cause damage by flood in winter, and inconvenience through drought in summer; the facilities offered for immediately providing relief works of a permanently profitable and useful nature in those districts which now suffer from recurring distress; the cheapening of timber locally for building and all farm purposes; the enhanced scenic attractiveness of the country, causing a large influx of tourists and residents, and the establishment of health resorts.

Referring to Afforestation, the Recess Committee, on page 23 of their Report, state, "That this is one of the most important of all the directions in which, with the aid of the State, the wealth of Ireland may be increased."

PART II.

Report of the Departmental Committee on British Forestry.

The Irish Forestry Society would draw attention to the Report of the Departmental Committee on British Forestry (1902), and especially to their strong recommendation, not only as to the establishment of Forest Schools, but also as to the necessity for a demonstration area, and for the wider spread of Forestry education among the land owning and land occupying classes.

Necessity for Reform more Accentuated in Ireland than in England or Scotland.

They believe that if evidence as to the conditions of Sylvicultural affairs in Ireland had been allowed to be taken before that Committee, it would have been found that the necessity for adequate demonstration areas and for Forest Education is more urgent in Ireland than in either England or Scotland, and furthermore, that whereas the Committee did not feel justified in recommending the acquisition of waste land in Great Britain for the purpose of extensive afforestation, that in Ireland the circumstances are in many respects so essentially different, as for instance in the urgency of the labour and emigration question, the comparative valuelessness of these lands for sporting purposes, and their greater suitability for profitable planting, that had the Committee been considering Irish circumstances, the acquisition of suitable areas of waste land with a view to their gradual afforestation, would have been one of their strongest recommendations.

The present crisis in the history of Irish Land Tenure has also the strongest and most important bearing on the subject of Forestry. The transfer of the land from the former owners to the occupiers, creates a condition of affairs quite unprecedented, and holding the widest possibilities for the development of decadence of this subject in which the Society is so deeply interested.

The position of resident gentlemen after the sale of their estates has been frequently discussed, and it is generally feared that with little or no share in the fiscal business of their counties, their occupation in the management of their properties gone, their sporting rights curtailed or deteriorated, and their local status as landowners a thing of the past, a gradual but general exodus of this class will ensue, the economic and social loss of which would, to Ireland, be irreparable.

The Society would, however, very strongly urge that if the requisite steps are taken, it would be possible to largely mitigate this evil, and by arousing a widespread and active interest in the planting and production of timber by demonstrating the financial profits which improved treatment of either existing woods, or new areas, will secure, and by supplying the necessary scientific and technical knowledge to induce numbers of the landowning class, instead of denuding their estates of all timber before sale, to preserve as far as practicable the existing plantations, and, with a view to further planting, to retain in

* "Forestry in the United Kingdom," by W. Schlich, Ph.D. London: Bradbury, Agnew & Co. Price 2s.

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their possession suitable areas of heath and waste land, which the tenants would in many instances prefer not to purchase.

The interest aroused by the supervision of the work, the beautifying of the locality, and the improvement in the shooting, would undoubtedly induce numbers of the landowning class to reside permanently in Ireland, instead of taking the great sums they have received from the sales of their properties, to England or abroad.

The importance of immediate action being taken towards this revival of Forest interest is apparent, and the Society believe that the scheme they are about to outline would be capable of accomplishing much in this direction.

Department Empowered to deal with Subject.

The Forestry Society is aware that under the Agriculture and Technical Instruction (Ireland) Act, 1899, the Department of Agriculture was constituted for the purpose of "the aiding, improving, and developing of Agriculture, Horticulture, Forestry, Dairying, the breeding of Horses, Cattle, and other live Stock . . . . . , and any other Industries immediately connected with, and subservient to any of the said matters, and any instruction relating thereto, and shall also include the aiding or facilitating of the carriage or distribution of produce." It would appear that the intention of the Act was that the subject of Forestry should be entrusted to the Department of Agriculture, to be dealt with in at least as full and efficient a manner as the other subjects mentioned, and with complete power as to the development of contingent Industries

Steps taken by the Department.

During the five years that have elapsed since the formation of the Department, the Society understands from the various questions answered in Parliament and from other public sources, that the only step taken towards the aiding of Forestry or of any of the Industries depending upon it, has been the purchase by the Department of the Avondale Estate, most of which they have resold to the tenants, but upon a small portion of which they have established a school for the training of working Foresters.

Indicated future course of the Department.

The answers to some of the questions asked in Parliament would further indicate that the Department has not taken, and does not for the present propose to take, any steps which could be at all considered as meeting the essential requirements of the case, and that owing to the heavy expenditure on other subjects, the funds at their disposal are insufficient to permit of the question of Forestry being treated in the manner and to the extent it deserves.

The Society, which is largely composed of members possessing the highest and most expert knowledge of Forestry of any body in Ireland, both theoretically, and as applied (or mis applied) in Ireland, together with a wide experience of the intricacies of Irish Land Tenure and custom, have always been prepared to co operate with the Department for the advancement of the Interests of Sylviculture

Formation of Forestry School not in itself sufficient.

They cannot however think that the training of a few working Foresters at Avondale, who for some time to come can only obtain employment by replacing the Scotch Foresters now employed, can be seriously claimed as a sufficient remedy for the evils under which Irish Forestry labours The Society questions very seriously whether the education afforded at Avondale, where the soil is of good quality, the elevation is low, and the area under treatment is uneconomically small, can be of much use in training men to successfully deal with large areas of mountain or bog lands under the very varying conditions which must occur in actual practice. Even if it is granted that the education of these men is all that could be desired, this is but one step out of the many that are so urgently necessary, and the Society believe that the subject of Forestry can never receive that highly technical knowledge and close attention that its importance to the progress of the nation demands, until a separate and properly equipped sub-department or Bureau of Forestry is established, which shall be as far as possible self-contained, and whose energies shall be directed solely and entirely towards furthering the interests of Forestry by whatever methods seem best advised.

Opinion as to the usefulness of the School at Avondale.

Separate Forestry Bureau necessary.

The Forestry Society therefore ask for the establishment of .— APPENDIX V.

I. Formation of Forest Bureau.

A separate Forest Bureau attached to the Department of Agriculture, to deal exclusively with all Forestry matters.

II. Staff of Bureau.

The Bureau to be under the immediate charge of a Chief Inspector, aided by two or more Assistant Inspectors, with a subordinate Staff of working Foresters and Clerical Staff, as circumstances hereafter may show to be desirable.

The Inspectors should be properly qualified Foresters, with a practical knowledge of the principles and methods adopted on the Continent of Europe, and a thorough knowledge of the Forestry conditions prevailing in Ireland, together with an intimate acquaintance with the Land Laws, and Land Tenure in Ireland.

The Bureau would be charged, *inter alia*, with

III.

(*a*) The co ordination, consolidation, and control of all Forest questions, and business now coming before the Department of Agriculture, The Estates Commissions, The Congested Districts Board, The Board of Public Works or other Government Departments.

(*b*) The management of existing Crown lands suitable for afforestation, and the acquisition and administration of additional areas of wooded, or waste or barren lands suitable for planting, as opportunities for purchase or lease may arise, and as circumstances may direct.

(*c*) Forestry instruction, higher and secondary, including the education and training of the various grades of Foresters and workmen to be employed, with a further system of instruction designed to reach those who are unable to attend Forest Schools—as by popular lectures at county centres, distribution of literature, and as advised.

(*d*) The preparation of schemes of management, or the working control of such wooded lands, or waste lands proposed to be afforested, which may from time to time be acquired by, or assigned to, the County Councils or other public bodies

(*e*) The advising of public bodies or of private individuals who are desirous of planting new areas, or of improving the yield capacity of existing wood lands, but who do not possess the necessary technical knowledge to ensure the best results.

(*f*) The carrying out of experiments in the growth and requirements of various trees under different conditions, and the testing of home grown timber as regards quality, durability, etc.

(*g*) To deal with the question of advancing money to private individuals, for the purpose of economic planting, at a low returnable rate of Interest.

(*h*) To deal with the question of Freight charges by rail and water

Income of the proposed Bureau.

Moderate beginning capable of future development.

The Forestry Society understands that the chief obstacle to what they ask is the difficulty of securing the funds necessary for the working Expenses of the Bureau, and they believe that the best interests of Forestry will be served by asking that the beginning should be a moderate one. A comparatively small grant will permit of the gathering together of the reins directing future work, while dealing promptly and energetically with those questions demanding immediate settlement. It should, however, be understood that if in a year or two years' time the Bureau has justified its existence and proved its utility, the annual allocations would be increased to permit of the development of the work it is instituted to carry out.

It is certain that the amount of work demanded from the Forestry Bureau would rapidly increase as its educational effect began to be felt, and as the interest in Forestry became quickened into new life, an increase of Staff would then become necessary.

Grant out of the Funds of the Department of Agriculture.

The Forestry Society submits that in view of the fact that the Department of Agriculture is endowed with a large income, a proportion of which it was evidently the intention of the Act should be expended upon Forestry, it would be equitable that on the Department being relieved of the whole subject of Forestry by the handing of it over to the special sub-department, or Bureau, an annual sum representing

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APPENDIX V.

the Liability of the Department as regards this subject should be paid over out of its Income to the Forestry Bureau, this sum to be sufficient to include the expenses of taking over, maintaining, and amplifying the Forest School at Avondale.

It is evident that money expended by the Bureau in acquiring and planting waste or unprofitable lands being essentially a capital outlay, should come under a different heading from that of salaries and travelling expenses.

The State often grants sums of money, without any question of direct return, to be expended for the purpose of increasing the prosperity of certain communities of its subjects. Such grants under certain circumstances are proper and right, but when the State is asked to advance money for the purpose of acquiring and planting suitable waste lands, it must not be forgotten that, while money so expended is of immediate and permanent benefit to a large and widening community, it is, nevertheless, money which will be repaid in full with compound Interest.

Money received from the State for planting purposes, not a "Grant" but an Advance.

The Salaries and Expenses of the Staff of the Bureau must be paid by a money grant, either through the Department or otherwise, but the further sums required for the purchase and planting of land are in no sense Grants, but Advances.

Source from which money might be received.

There appear to be at least three sources from which these advances may be made, viz.:—

(a) Direct from the Treasury.

(b) From the funds of the "Development Grant."

(c) From the funds of the Department of Woods and Forests (Crown and Quit Rents).

Of these the Forestry Society believe that while either of the two former would be practicable, the claim upon the latter (c) is so manifest as to plainly ear-mark it for this purpose.

Income of Woods and Forest Department.

The Income of the Department of Woods and Forests, amounting to over £30,000 per annum, is derived entirely from Crown and Quit Rents on Irish Land. As these properties are sold under the Land Act the Crown charges are capitalised and thus large sums are being paid over to this Department, and they are, it is understood, with one recent exception, being invested and spent entirely in England.

The Irish Forestry Society confidently claim that a portion of this money should be annually allocated to a Bureau of Forestry, to be used by it for the purchase or lease of suitable planting areas, and for the Afforestation of these areas. By this means this money, drawn from Irish land sources, would be largely spent among the smaller occupiers of Irish land in welcome work during the winter months, work leading to the establishment of permanent industries, largely in the remoter and congested districts of the country.

Signed on behalf of the Irish Forestry Society,

CASTLETOWN,
President.

10th October, 1905.

12, College Green,
Dublin.

B.—Report of the Irish Forestry Society for 1906.

During the months of May and June the Irish Forestry Society issued over 800 circulars to Irish Landowners, Land Agents, Nurserymen, Timber Merchants, and others, inviting answers to two lists of questions drawn up in order to obtain information as to (1) what scientific, practical, and reliable proof was there that forests in Ireland would pay as an investment for State funds, having regard to the climate, soil, and other factors; and (2) what areas of land which under existing conditions are more or less waste and unprofitable, but which are suitable for afforestation, could actually be acquired at once if such was contemplated, for the purpose of making a start with planting.

About 130 circulars were returned from thirty counties, but the bulk of these were found to be of little use for the present inquiry, as while some were returned blank, the majority contained only generalities on the subject of planting, State aid, etc., or information of such a sketchy nature as made it impossible upon examination to obtain any exact data of a useful, or sufficiently precise nature.

A careful perusal of these returns, however, incidentally showed that the consensus of opinion of the authors, who are among the most competent in Ireland to express an opinion on such matters, is that afforestation can only be carried out in Ireland by the State; that if properly carried out in sufficiently large blocks of forests as is practised successfully on the Continent, the utilisation of waste lands by the planting of timber is certain to be a profitable investment, and that the two great hindrances to profitable timber planting in the past have been a want of knowledge of the proper methods to adopt, and general ignorance of the science of Forestry, and lack of facilities for cheap carriage to the markets.

1st Query

The Irish Forestry Society, speaking with all the accumulated experience of its members, and now in the light of the information furnished by the present returns is quite prepared to admit that in a preponderating majority of cases the planting of trees in Ireland in the past has not, as a matter of fact, paid, that is to say, if the Ledger Account only is consulted. But with regard to this major portion it should be particularly noted that in most cases the production of timber was only an incidental consideration, and that the creation of game covers and ornamental environment has been in the eyes of the owners the paramount consideration. If these two factors could be expressed in pounds sterling, it would obviously be only fair to add that to the proceeds from the timber in calculating the profits of planting; it must be added too that it is impossible to obtain the highest and most profitable results in timber growing when all the canons of sound and scientific forestry are sacrificed for the sake of feathered game and ornament.

If it can be shown, as it is proposed to show, that even in a relatively few cases the results from the growth and sale of timber trees, under the disabilities already indicated, can produce a profitable return, the contention may be safely and fairly insisted upon that if timber planting will pay under existing inadequate methods it is a demonstrable certainty that it is bound to prove a sound commercial investment if the trees are grown under proper conditions with the sole object of the production of sound marketable timber as that term is understood in the timber markets of the world.

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This is not the place to indicate what these conditions are, except to say generally in passing that they include, in order to secure success, that first the forests should be grown in blocks of adequate size—the larger the better—to secure a constant, unvarying annual crop of timber of a uniform standard quality or type that can be relied upon in both respects by the market; and secondly, that regard must be had to the proper conjunction of species and soils, altitudes, situation, climate, prospective markets and soforth. This obviously can only be attained by the adoption and consistent adherence to a sound system of Forestry under the charge of a scientific staff.

It is safe to say that these conditions, which all the authorities treat as essential, have hitherto been practically ignored in Ireland.

The following Schedule of specific cases should be prefaced by explaining that a number of the largest growers of timber have not sent in returns, including Lord O'Neill, Lord Powerscourt, Lord Fitzwilliam, Lady Emily Bury, the Duke of Devonshire (who has promised returns at a later date), the Duke of Abercorn, Lord Ormond, and others, also that practically all the timber returned as sold was sold unfelled to dealers, which is the most extravagant mode of disposing of it, although there is little or no alternative under present conditions. By this method the grower loses all intermediate profits which would be secured if the timber was worked upon the ground as is done in many parts of the Continent and in Canada. Also, few references are made to periodical *thinnings*, except remarks in several instances that these commencing at the tenth year *pay rent and the cost of planting*, resulting in the *proceeds of the final or clear cutting representing a clear net profit*.

These views the Irish Forestry Society is prepared to adopt.

[*See Schedule A on next page.*]

In addition to the cases in Schedule A the Society received a large number of returns which, by calculation, are estimated to produce similar results, but the data supplied was not sufficient to enable the result to be ascertained with absolute certainty, and they are accordingly omitted.

It is also necessary to point out that eloquent as these returns are they do not stand by themselves as they are really supplemental to the mass of official and other testimony already collected, dating from the Reports furnished to Lord Carnarvon in 1885 when Viceroy.

It is an historical fact that Irish timber was celebrated for its fine quality at the time when there were real high forests in the country.

That the whole crux of the question lies in *competent management* is strikingly borne out by the last two cases included in the foregoing Schedule, but competent management would reap even better results if the areas planted were adequate in extent, as sound economic conditions can only be obtained thereby.

Query (2).

The subjoined Schedule (Query (2)) sufficiently answers this question, as it contains between 40,000 and 50,000 acres meeting all the requirements including as a *sine qua non* that there should be no grazing or other subsidiary rights attaching to the lands to hamper a clear title. The lands indicated probably extend considerably over this area, as only the minimum of 1,000 acres on one lot was stated in the circular, and where any uncertainty existed the Society has adopted the minimum. In addition to this, the Society is informed that the Congested Districts Board owns large areas which they would be willing to have planted under suitable arrangements.

The last case included in the Schedule is an instance of what must hereafter very frequently occur in Ireland owing to the operation of the Land Act, 1903. The owner has sold all his property to his tenants with the exception of a mountain of 1,000 acres or more, which he offered to add to their holdings, but they refused to have it, as being worthless to them, and now he has it uselessly on his hands and would sell it for the purpose of planting at a very moderate price; some 600 or 700 acres adjoining are already planted and doing well, and could also be acquired.

The returns supplied gave particulars of the names of the townlands, situation, etc., of the various lots, and these can be given when necessary.

SCHEDULE—QUERY 2.

County.	Owner.	Approximate Area.
		Acres.
Donegal,	—— Connolly, . .	1 to 10,000
Cork, .	Lord Castletown, . say	1 000
Cork, . .	Dr. Sealy, . . .	1 000
Cork, . .	Reps. Pyrie,	2,000
Kerry, . .	Sir George Colthurst, say	1,000
Kerry, . .	The Macgillycuddy, say	1 000
Kerry, . .	Sir M. Fitzgerald, . say	1,000
Leitrim, . .	Sir M. Fitzgerald, . .	2,000 (and over)
Wexford, .	Lady M. Fitzgerald, say	1,000
Derry, .	Sir Hervey Bruce, . .	3,000
Waterford, .	Mr. Villiers Stuart, .	4,000
Galway, .	Sir H. D. Hodgson, . .	1,000
Galway, .	Sir H. D. Hodgson, say	1,000
Galway, .	Various, . . .	1,100
Galway, .	Lord Clanricarde, .	1 600
Galway, .	Captain Persse . .	2,000
Wicklow, .	Sir M. Fitzgerald, . .	1,000
Wicklow,	—— Wynne, . . .	1,000
Sligo, . .	Marquis of Sligo, . .	1,500
Fermanagh, .	Marquis of Sligo, . .	1,000
Antrim, .	Sir D. Dixon, . say	1,000
Antrim, .	Sir D. Dixon, . .	1,000 (and over)
Tipperary,	Mr. Massey-Dawson,	1,000
Tipperary, .	Mr. Lewis Grubb (*see ante*)	1,000 (and over)

For the Irish Forestry Society,

J. Scott Kerr,
Joint Hon. Sec.

11*th September*, 1906

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SCHEDULE A.

County.	Owner's Name	Species.	Average Elevation	Nature of Treatment.	Total Area referred to.	Distance from nearest Station	Age when cut.	Value or Rent of land for Agriculture	Price when felled per Acre	Remarks.
			Feet.		Acres.	Miles.	Years.	Per Acre s. d.	£ s. d.	
Kilkenny.	— Tighe.	Mixed Conifers.	300	Well cared,	6	2	35	7 0	0 10 0	Light sandy loam or rock. Price is annual return per acre for thinnings from 15 years old
Down.	Lord Rodin.	Mixed.	450	Little care taken.	1,000	Wrought locally	—	Very poor.	650 0 0	Is average annual profit on whole area
Cork, ...	Major Webber, ...	Mixed Conifers	550	Midding	68	4	45	5 0	30 18 0	
Wicklow, ...	Colonel Bailey, ...	Larch.	—	—	1½	—	64	None	127 0 0 Say	
Cork, ...	—	Mixed	250	Bad	210	3½	55	2 6	45 0 0	
Cork.	Lord Castletown.	Larch.	300	Neglected.	6½	4	35	2 6	38 10 0	
Cork.	Do.	Spruce and Scotch.	—	—	12	10	40	Valueless.	50 0 0	States "Planting in Ireland if properly conducted has always been most profitable."
Cork	Sir G Colthurst, ...	Scotch and Larch.	—	"	60	5	50	Poor.	16 17 0	Particulars not clear, some trees left on ground.
Donegal, ...	E M. Connolly.	Oak.	—	—	—	—	—	—	10 0 0 per tree	Probably £500 per acre
Kildare, ...	Lord Drogheda, ...	Mixed	200	Bad	7	1½	24	6 6	33 6 8	Light moory soil.
Antrim.	Lord Antrim, ...	Larch.	400	Good	—	Near	41	2 6	140 0 0	
Antrim	Mrs Dobbs.	Mixed.	400	Bad.	—	3½	41	2 6	60 0 0	
Scotland (Perthshire). ..	Lord Mansfield.	Douglas and other Firs	—	Bad	4?	—	40	5 0	225 0 0	— 7*d* per cubic foot.
Tipperary.	Mrs Hume-Dick.	Larch.	—	—	—	—	75	10 0	150 0 0	
Kings.	Lady Emily Bury.	Ash and Oak.	—	"Carefully"	—	Near.	40–70	Fair.	68 0 0	These cost nothing to plant as they were grown from natural sown seedlings.
Kilkenny.	—	Oak, Pine, Larch.	—	Very bad	19	—	68	None.	2 12 7	These two lots are adjoining each other and are cited as very strikingly demonstrating the result of good and bad management.
Kilkenny.	—	Do.	—	Good	—	—	68	None.	100 0 0	

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APPENDIX VI.

DOCUMENT put in by Mr. DAVID TALBOT-CROSBIE, in connection with the Evidence given by him before the Commission.

HEADINGS OF EVIDENCE.

The crux of the Western problem is not "purchase price," but the best means to adopt to develop the resources of the country, and improve the general conditions of the people.

Failure of 1903 Purchase Act to work in Connaught as compared to other Provinces.—See Estates Commissioners' last Report, page xi., re aggregate purchase Money:—

Leinster,	£12,067,229
Munster,	9,674,018
Ulster,	8,836,660
Connaught,	2,024,380

Some of the causes of failure:—

I. As regards Agricultural Holdings to which Land Acts apply;

II. As regards Grass Lands.

I.

Some of the causes of failure as regards Agricultural Holdings:—

a. Smallness of majority of holdings, which purchase does not remedy.

b. Want of sufficient inducements to buy and sell.

c. Tenants look upon purchase as merely a change of landlords with no sufficient benefits to them, resulting therefrom.

d. The Estates Commissioners and Congested Districts Board, sitting in Dublin, and being out of direct touch with the subject with which they are seeking to deal, and the different interests concerned.

e. Neither Landlord nor Tenant willing to take the first step either to sell or to buy, fearing it would prejudice the bargain.

f. Dislike, especially amongst the old people, to the possibility of having to change their residences.

g. Indifference on the part of Landlords and Tenants.

h. Want of capital to improve, and stock their holdings.

i. Tenants buying direct from vendor think they are barred from ever having their holdings enlarged or improved.

II.

2nd. Failure to work as regards Grass Lands:—

a. Want of any guiding principle by which purchasers and vendors can estimate price:—

See pages v., vi., and vii. of Estates Commissioners' 1st Report:—"The Commissioners have experienced great difficulty in laying down or discovering any guiding principle by which the adequacy of the security offered by holdings for proposed advances may be tested, or by which the question of the equity of prices that may be agreed upon can be determined."

"In dealing with the question of price, as in dealing with that of security, the Commissioners have experienced great difficulty in estimating what would be the fair and equitable price of the landlord's interest, which is being sold."

b. Only means now of testing price is by inspection on behalf of the Purchaser, if Vendor does not agree to price fixed by Inspector, he cannot split up the grass lands, and put in tenants at a higher price, as the Inspector's Report as to security will be against him, and the Estates Commissioners, therefore, could not declare the lands "an estate," their Inspector having previously reported that the security was not sufficient for more than he had already estimated it at. Further, the tenants know, by Vendor not dealing with Estates Commissioners, that the Inspector has put on a lower price, and therefore they expect to get the estate at a reduced value. A Vendor naturally will not risk putting himself in this dilemma.

c. The want of some disinterested medium, through whom the Vendors and Purchasers could be approached sympathetically without having their cases prejudiced.

d. Want of an open market on account of the impossibility of allowing the Vendor to sell his tenant-right by auction, as this would bring in new tenants, whereas the land is wanted to enable the uneconomic holdings to be made economic.

III.

As regards Grass Lands generally:—

a. Those that can be tilled profitably by small farmers.

b. Those that would be disimproved by tillage.

c. Those that would be improved by tillage.

Re Different Methods of Using Grass Lands.

1. Those farmed by Vendors never having been rented.

2. Those on which Vendor has taken in grazing stock for the summer at so much per head (collops), and where he has meadowed a portion of the lands, selling the meadow by auction.

3. Those let for eleven months (a ruinous system, the outcome of the Land Act of 1870, which legalised dual ownership).

4. Those let as grass farms by lease or from year to year, in these cases where they have been held by the same tenant for a great number of years, there would appear to be a certain occupation interest, which should be recognised in acquiring such lands.

IV.

As Regards Waste and Partially Waste Lands.

Waste resulting from:—

a. Want of draining and maintaining drains.

b. Want of cultivating. Bog, heath, furze.

c. Want of manuring.

d. Burning and excessive use of guano.

e. Overmeadowing, and letting meadows by auction, without manuring.

V.

As regards system, practised frequently by Small Farmers, of living on credit instead of paying cash, which is extravagant for the Customers and unsatisfactory for the Shopkeepers, as they are kept so long out of their money, and therefore cannot work on the principle of small profits and quick returns.

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APPENDIX VI.

VI. *As regards Security*

a. Table showing rents paid during worst years

A Return by Messrs. Talbot-Crosbie and Holmes, of Roscommon,

Estate by No	No of Tenants.	Counties.	Baronies.	Poor Law Valuation	Gross Yearly Rents for first and last years
				£ s. d	£ s d.
1	330	Roscommon,	Athlone, Ballintobber South, Roscommon, Frenchpark, Boyle, Castlerea.	5,104 10 0	5,732 10 1 5,722 17 6
2	131	Galway. Roscommon, Meath, and Westmeath,	Killyan, Ballintobber South, Athlone, Skreen, Dunboyne, Duleek, Lower Navan. Kilkenny West,	3,812 12 0	4,251 1 0 4,175 6 8
3	170	Roscommon, Galway, and Sligo,	Castlerea, Roscommon, Athlone, Frenchpark, Ballintobber South, Ballintobber North, Ballymoe. Clare-Galway, Tireril,	5,006 8 0	4,703 8 0 4,776 14 4
4	36	Roscommon, and Westmeath,	Athlone, Demifore, Delvin, Corkerce,	654 11 1	986 9 7 677 13 5
5	112	Roscommon and Westmeath	Roscommon Athlone, Ballintobber South Rathconrath	2,070 6 0	1,978 6 0 1,635 12 1
6	26	Roscommon	Athlone,	724 5 0	745 7 6 708 0 0
7	12	Roscommon	Athlone, Ballintobber South,	393 5 0	452 13 2 426 18 2
8	17	Roscommon	Roscommon	947 10 0	1,315 7 9 1,215 5 8
9	42	Roscommon	Ballintobber South. Athlone,	416 10 0	565 4 10 426 6 6
10	25	Westmeath	Fore	1,122 15 0	1,039 19 5
11	16	Roscommon	Athlone	67 10 0	78 17 6
12	51	Roscommon	Ballintobber South,	489 15 0	497 16 0
13	66	Sligo,	Leyny.	602 18 0	536 15 9 568 2 1
14	15	Roscommon.	Roscommon	383 15 0	471 14 10
15	80	Longford	Moydoe.	721 14 0	950 10 5 801 18 5
16	7	Roscommon,	Boyle,	223 15 0	179 15 0
17	41	Roscommon,	Roscommon,	425 15 0	421 11 4
18	190	Roscommon, and Galway,	Athlone South Killyan,	2,661 15 0	2,604 0 0 2,691 14 1
19	31	Roscommon,	Ballintobber South,	416 5 0	317 14 7 310 16 1
20	28	Roscommon,	Moycarn,	206 1 0	231 10 4 200 0 0
21	167	Roscommon, Mayo, and Galway,	Castlerea, Ballymoe, Athlone, Ballintobber South Tyrawley, Ballymoe,	2,641 12 0	3 286 0 10 3,182 16 2
22	167	Roscommon,	Roscommon,	2,755 17 0	2,703 16 6 2,701 14 4
23	11	Roscommon,	Ballintobber South,	182 1 4	188 1 4
24	41	Sligo,	Carbury,	728 4 3	669 4 3
25	6	Roscommon,	Athlone,	388 16 0	378 7 4
26	10	Roscommon,	Roscommon.	169 8 7	166 6 7
27	51	Roscommon,	Castlereagh,	623 2 6	545 8 0
28	8	Roscommon,	Athlone,	54 10 0	—
29	53	Roscommon,	Athlone South, Ballintobber South, Roscommon	283 2 4	283 2 4
30	38	Roscommon,	Ballintobber South, Athlone, Roscommon.	686 0 0	1,111 1 4
81	—	Galway,	Ballymoe,	—	126 7 8
82	—	Roscommon,	Roscommon,	—	225 13 6

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for Annuities.

of Land Agitation, viz., from 1880 to 1886.

showing the several Estates over which they act as Agents or Receivers.

	GROSS RECEIPTS FOR EACH YEAR.					
	1881.	1882	1883	1884.	1885.	1886
	£ s. d.	£ s. d.	£ s. d	£ s. d.	£ s. d.	£ s. d
	5,925 18 4	6,165 7 5	5,744 5 5	5,840 15 2	5,204 15 1	5,482 3 3
	—	2,841 16 0	4,084 3 7	3,692 18 4	3,844 13 6	4,118 11 7
	3855 6 8	5,231 16 10	5,280 0 0	4,394 1 2	3,985 3 5	4,566 15 11
	988 8 6	1,004 0 1	685 13 7	377 6 4	907 11 2	946 1 10
	1,652 11 5	1,612 18 6	2,033 5 2	1,852 5 10	1,696 10 6	1,618 18 0
	721 14 0	864 4 3	648 14 6	662 16 2	729 13 6	728 3 3
	347 5 2	477 5 11	425 2 8	440 19 8	485 8 6	380 10 5
	—	—	—	1,437 18 8	1,122 7 1	1,493 18 1
	—	661 4 4	578 0 1	469 0 6	461 18 2	405 8 8
	—	—	—	—	—	778 3 4
	—	—	—	—	—	70 13 11
	—	—	—	—	—	472 3 10
	—	Year '81 and '82. 685 6 3	442 14 7	435 10 0	403 7 1	560 7 11
	—	—	—	—	—	555 7 11
	616 11 1	828 14 8	823 1 0	816 12 0	810 12 6	660 17 11
	—	—	—	—	—	122 16 10
	—	—	—	—	—	416 14 11
	2,623 0 0	3,286 0 0	2,783 15 1	2,851 5 0	2,718 18 6	2,187 8 11
	177 16 11	207 15 4	283 10 5	431 0 2	314 7 11	285 5 5
	—	233 18 10	223 1 4	216 2 10	193 13 3	178 17 2
	—	—	—	—	2,300 2 5	3,131 6 3
	—	—	—	—	1,861 1 6	2,358 12 5
	—	—	—	—	—	—
	—	—	—	—	—	—
	—	—	—	—	—	
	—	—	—	—	—	—
	—	—	—	—	—	—
	—	—	—	—	—	—
	—	—	—	—	—	—
	—	—	—	—	—	
	—	—	—	—	—	—
	—	—	—	—	—	—

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APPENDIX VI.

b. Comparison of 1903 Act with Ashbourne Act, showing increased benefits under the 1903 Act, see following Memo.:—

Comparison of Annuities under Ashbourne Act with those under Wyndham Act.

	£	s.	d.
Tenants' Annuity under "Ashbourne Act" for 49 years on £1,800, 18 years' purchase of £100 rent, . . .	72	0	0
Same under "Wyndham Act" for the first 49 years, ...	58	10	0
Saving on Annuity under "Wyndham Act,"	13	10	0
Above saving of £13 10s. 0d. invested annually at compound interest accumulated at 4% should in 49 years amount to about, ...	1,968	0	0
Deduct the balance of purchase money still due at the end of 49 years, .	900	0	0
Balance to credit of Tenant at the end of 49 years, ...	1,068	0	0
Total purchase money under "Ashbourne Act,"	1,800	0	0
Deduct above, ...	1,068	0	0
Total amount paid for holding, viz. — .	732	0	0

Slightly over seven years' purchase as against 18 years' purchase under "Ashbourne Act," a saving of 11 years' purchase.

Again under "Ashbourne Act" annuity of £72 will pay off principal and interest in 49 years, whereas, under "Wyndham Act," if Purchaser paid £72 per annum, he could pay off the same amount in about 39 years, which would be a saving to the Purchaser under the "Wyndham Act" of £720, which if invested at 5% would yield £35 a year to the Purchaser, in perpetuity. A reserve fund might be created by tenant paying his interest in advance in cash or added to purchase money.

c. Punctuality with which Ashbourne annuities have been paid and the increasing value of purchaser's interest as each annuity is paid.

d. Land being purchased in many cases at almost its minimum producing value.

e. The general desire to develop the resources of our country and improve the condition of our people, which is the avowed object of all recent legislation. The more these objects are promoted by the State, the more will it enhance its security.

The spirit of the 1903 Act was inducement, not compulsion, and if the Act is administered in this spirit there will be no need for compulsion.

SUGGESTED REMEDIES TO I. IN EVIDENCE.

a. Increase the size of the holdings.

1st. By acquiring any grass lands that can be procured either on the estate being sold, or in the surrounding district, whether in the owner's hands, or let as grazing farms. The size of holdings thus increased should not be stereotyped, but should be regulated by the quality of the land, and the suitability of the proposed occupier.

2nd. By migrating the largest tenants to as far as possible, where they would chose to go, and giving them sufficient inducements to move.

3rd. By giving the old people (who were not able to work their land) an annuity for their joint lives, leaving them their house and garden, and adding the holding to the adjoining ones.

4th. The Land Commission should be notified when annuitant wants to dispose of his interest so that it may have an opportunity of buying such interest, in order to re-distribute the farm, and wherever annuitant sells his interest, a proportion of the purchase money should be paid off.

b. Increase in every possible way the productive power of the land.

1st. By arterial drainage.

2nd. By reclaiming waste lands, and paying tenants for doing it, charging interest at 2¾ per cent. on outlay, as soon as it begins to be reproductive.

3rd. By manuring and encouraging purchasers to keep their crops and feed stock, so as to have farmyard manure, and having a model farm in each parish as an object lesson.

4th. By striking off balances of all Board of Works loans that have been paid for over ten years, in case of all tenants who buy, and vendors who sell, in Connaught, only leaving occupiers responsible to pay maintenance rates.

c. a and b will remedy these.

d. That Connaught should be handed over entirely to the Congested Districts Board, which should be remodelled, and confine its work exclusively to Connaught; it should be composed chiefly of members acquainted with special needs of the West, being residents, and that they should have their meetings, staff and offices in some central position in Connaught; the Board could, where necessary, have local representatives in the shape of advisory committees, composed of three members elected by County Councils, three elected by Deputy Lieutenants of each county, and four members co-opted by above, to work in connection with it. The Board would then be more in touch with the people, and could, therefore, deal with them in a more sympathetic way. It should choose and pay its own staff, which should be absolutely under its control.

e. d should remedy this.

f. The young people might be migrated, and the old people given an annuity and left their house and garden for their lives.

g. d would remedy this.

h. Capital to be advanced for reproductive improvements at 2¾ per cent., also for stocking land, when required, such advance to be a second charge on the holding.

i. Board should deal with those who had purchased in the same way as those who had not.

SUGGESTED REMEDIES TO II. IN EVIDENCE.

a. Apply different tests as in appended Schedule B, the general principle being that the land is worth what it has produced for a period of years (which should embrace good and bad), less any outlay which has during such years contributed to increased production, so as to maintain the present income derived and any outgoing which is now paid by vendor which will have to be paid by purchaser, taxes and drainage maintenance.

b. Work out price according to a, and then inspect as regards general condition of the estate, and as regards anything exceptional that would affect the price. If a further inspection is required as regards security, the purchaser or vendor should be able to appeal to an absolutely independent tribunal, say, an Equity Judge.

c. That vendors should be approached privately by some unofficial disinterested person in whom they had confidence.

d. That as the State has to close the market for the benefit of the community, the vendors should not suffer, but should be compensated by the State for the loss they sustain by being prevented from selling their tenant's right in an open market (a certain proportion of such compensation, if not all, could be recovered from new tenants that were not migrated by increasing their annuity). The amount of compensation should vary, from about five to ten years' purchase of the equivalent of the second term rent.

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THIS IS A TYPICAL ESTATE IN THE COUNTY GALWAY.

(1.) *According to Land Conference Report.*

	£ s. d.	£ s d
Gross Income received,	746 0 0	
Less 10 per cent.,	74 0 0	
	672 0 0	
£672 capitalised at 3¼ per cent.		20,677 0 0

Non-residents' capital, at 3½ per cent

(2.) *According to Mr. Commissioner Finucane's Proposal.*

Government Valuation of tenanted land, £490 × 21 years,	10,290 0 0
Government Valuation of lands in hands, £322 × 26 years,	8,372 0 0
	18,662 0 0
Add bonus,	2,239 0 0
	£20,901 0 0

(3.)

	£	
Gross Income received,	746	
Less Poor Rate at present rate, £51,	—	
,, Drainage, Maintenance, £6,	57	
	£689	
Capitalised at 3¼ per cent.,		£21,200 0 0

Purchaser will have to pay these, so they should be deducted.

(4.)

Small first term tenants' rental, £146 at 6s. off 21½ years' purchase,	3,144 0 0
Small second term tenants' rental, £77 at 5s. off 23 years' purchase,	1,776 0 0
Large first term tenants' rental, £94 at 5s. 6d. off 22¼ years purchase	2,096 0 0
Large second term tenants' rental, £80 at 4s. off 24-60 years' purchase,	1,969 0 0
Lands in Owners' hands, rental, £330 at 26 years' purchase,	8,580 0 0
	17,565 0 0
Bonus,	2,110 0 0
	£19,675 0 0

(5.)

Government Valuation of lands in hands,	322 0 0	
Less 7 per cent. being the difference between second term rents and valuation,	22 0 0	
	£300 0 0	
£300 × 24½ years' purchase as second term rents,		7,350 0 0
£300 × 6 years' purchase for tenants' interest held by Landlord,		1,800 0 0
£182 second term rents at 24½ years' purchase,		4,459 0 0
£215 first term and non-judicial at 22½ years' purchase,		4,837 0 0
		18,446 0 0
Bonus,		2,213 0 0
		£20,659 0 0

(6.)

	£ s. d.	£
Rental,		750
Less Poor Rate,	38 11 0	
Drainage Maintenance,	5 16 3	
Five years' average allowances for manure and fences, etc.,	24 16 6	
Herd,	12 0 0	
Agency fees,	37 10 0—119	
		£631
£631 capitalised at 3¼ per cent.,		19,415 0 0
Negotiation fee, surveying and law costs,		850 0 0
		20,265 0 0
Herd's freedom, value £20, capitalised at 3¼ per cent.,		615 0 0
		£20,880 0 0

SUMMARY:—

	£ s d
No. 1,	20,677 0 0
,, 2,	20,901 0 0
,, 3,	21,200 0 0
,, 4,	19,675 0 0
,, 5,	20,659 0 0
,, 6,	20,880 0 0
Total,	123,992 0 0
Average,	£20,665 0 0

SUGGESTIONS AS REGARDS III. IN EVIDENCE.

1. It is difficult to estimate the purchase value. The Government Valuation might, in some cases, be a help, or the areable rent of adjoining lands; in these cases the vendor should be dealt with very liberally.

2. Purchase value can be estimated by the average gross receipts for a certain number of years, deducting therefrom taxes and outgoings, and capitalising the net income at 3¼ per cent. or 3½ per cent., according to circumstances.

3. Purchase value estimated same as 2.

In each case of above where a Herd is paid his salary in kind out of the land, the vendor should be allowed to claim credit for such salary, as when lands are divided into small holdings, no herd will be required, therefore the Herd's portion can be sold to him under the Act, and thus become a marketable commodity.

4. Purchase value estimated at yearly rent payable to vendors, less any necessary outgoings for maintenance, etc., capitalised at 3¼ per cent. or 3½ per cent., and tenant should receive a certain number of years' purchase of the rent for occupation interest, according to circumstances.

SUGGESTIONS AS REGARDS IV. IN EVIDENCE.

a. That the Government should at once make arterial drains, where required, and deepen existing water courses and streams, so as to enable thousands of acres of waste lands to be brought under immediate cultivation, and give reproductive employment to the people.

b. That the Government should pay the occupiers for reclaiming and cultivating waste lands, charging them with an annuity when they became reproductive, or have the reclamation done, and when completed divide the reclaimed lands amongst the adjoining tenants, charging them with an annuity in proportion to the increased value of the lands.

c. That purchasing tenants should be given a certain amount of suitable artificial manure free, provided they on their part put out farmyard manure to a sufficient amount, so that the more farmyard manure they put out the more free artificial manure they would receive.

d. Enforce existing laws against burning.

e. That this should be in every possible way discouraged.

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APPENDIX VII.

APPENDIX VII.

DOCUMENT put in by Mr. A. J. CRICHTON in connection with the Evidence given by him before the Commission.

A.—NOTES OF EVIDENCE.

Witness's conclusions are mainly based on a consideration of two facts:—

Firstly, that the Congested Districts Board has been extremely successful, but that it is in urgent need of *larger funds* and of even greater powers.

Secondly, that the non-scheduled parts of Ireland also require fostering care, but that whatever assistance may be given to them should be of such a nature as to demand a greater call on the spirit of self-help than would be expedient in dealings with the poorest of the poor.

Witness's recommendations may then briefly be stated as follows:—

1. Strengthen the Congested Districts Board; give it enough money to accelerate its land operations, and in special cases let the definition as to what constitutes congestion be stretched.

2. Let the task of improving the condition of non-scheduled Ireland in matters affecting land be entrusted to the Estates Commissioners.

3. Let all advances under the Land Act be made by either the Estates Commissioners or by the Land Commission, but let the Congested Districts Board and the Estates Commissioners have power to *draw from their own resources* whatever may be wanted to make up the deficiency between vendor's prices and the safe advances under the Land Act.

4. Let the Congested Districts Board continue to act as it has done on eminently philanthropic lines, but let the Estates Commissioners distribute their grants more sparingly; let them rather assist deserving people to help themselves than do everything for them; by doing so more good in the end will be achieved and the financial difficulties be considerably reduced.

Elaboration of the four Recommendations.

(1) The Congested Districts Board chiefly wants money to carry out its land schemes within reasonable time.

But its powers might perhaps also be strengthened.

One very often hears that the Board makes a better use of moneys entrusted to it than the Department of Agriculture.

Granting, for the sake of fairness, that the farmers in non-scheduled districts have not yet fully availed themselves of all possible benefits resulting from the creation of the Department of Agriculture, and that in the future the work will yield more tangible fruit, it is still almost certain that the people in the scheduled districts are for many reasons much better off under the fostering care of their Board, which sends capable officers to reside amongst them, and therefore it seems desirable that the proportion of revenues payable by the Department to the scheduled districts should be handed over to the control of the Board.

A similar suggestion might be made concerning the revenues of the Fishery Board.

Again, the powers of the Board require strengthening in the matter of including districts which are smaller than electoral divisions, so that it may relieve acute congestion wherever found.

Lastly, when the Board purchases estates in non-congested areas it ought to be allowed to assist the poorer people living near to those estates.

These demands require, however, a very considerable addition to the existing resources of the Board. The witness wishes therefore to show how the required additional funds can yet be kept within moderate bounds.

(*a*) The most important suggestion will be explained under heading (2), which is written with the object of removing the existing anomaly of showering remedial measures of a most liberal nature on a few districts, to the total exclusion of others.

(*b*) Indirect method of reducing prices payable to vendors of tenanted land without inflicting any serious injury on them.

Let the rate of interest on advances be 3½ per cent., and let the annuities on estates on which improvements are contemplated only begin after a term of fifteen years.

This would give to the Board a profit of ¾ per cent. on the advance for fifteen years—a very material help towards reducing the losses incurred in improving estates.

Vendors would, of course, have to sell more cheaply, but their actual loss would be reduced to very small dimensions, provided that the full payments, including bonus, were made within, say, one year.

The remark just made leads witness, perhaps, to step over the terms of reference, but the fact cannot be controverted that the existing delays in completing purchases are a serious hindrance to the satisfactory working of the Land Act.

The question therefore arises if nothing can be done to hasten procedure.

The general impression is that the root of the evil lies with the Treasury, which not only refuses to lose more than about £500,000 a year in financing the Act, but which also does not wish or dare to upset the money market by creating an undue amount of Land Stock.

The ideal condition would arise if the Stock issued by the Treasury was quoted at a trifle above par on the Stock Exchange, and if vendors were generally inclined to retain a large proportion of all issues of Stock for themselves.

The remedy for the existing situation then seems to lie in an approximation towards those ideal conditions at the smallest possible cost to the taxpayer.

The present procedure is not only very unsatisfactory but horribly wasteful.

On purchases which will in a few years' time amount to £100,000,000, the taxpayers will not only have to pay 2¾ per cent. on at least £10,000,000 of Land Stock, but they will eventually have to redeem the principal. Should the redemption take place in thirty years the actual cost to the taxpayers will amount to that of one-half million per annum spread out for a period of thirty years.

It should therefore be easy to improve on present methods.

The suggestion which seems to witness to be most suitable is that of increasing the rate of interest on fresh issues of Land Stock from 2¾ per cent. to 3 per cent., and therefore of increasing the annuities payable by purchasers of tenanted land from 3¼ per cent. to 3½ per cent.

Further, of granting to vendors an additional ¼ per cent interest on stock issued pending the time that the stock can be redeemed at par.

The actual loss to the taxpayers would then be limited to the payment of the additional ¼ per cent., and in the event that redemption in cash only occurred in thirty years, the total loss would only amount to one of about 5 per cent., instead of one exceeding 10 per cent, as at present, and this estimated loss of 5 per cent would be cut down by one-half if redemption occurred in seventeen years.

This suggestion would, of course, reduce the former estimated profit of the Board in its purchase of tenanted land from ¾ per cent. to ½ per cent. on advances; but the enormous saving to the Irish Development Grant would much more than make up for such a loss.

But to return to what lies more clearly within the

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terms of reference, the Board chiefly requires funds for the purchase of untenanted land

As the acquisition of such lands is primarily intended to improve the condition of people now living on miserable holdings, one may reasonably say that whatever money is spent in purchasing untenanted land for people residing in congested districts must necessarily increase the security on advances made on tenanted property.

There does therefore not appear to be the same necessity for so large a sinking fund.

On Advances for Untenanted Land.

If then the rate of interest be temporarily increased from 2¾ per cent. to 3 per cent. in order to aid the financing operations of the Land Act, annuities of 3¼ per cent. might yet, under certain conditions, be deemed safe for the purchase of untenanted lands.

It is necessary to keep the annuities for this purpose as low as possible, in order that vendors may receive a fair price.

But if vendors of tenanted lands are penalised as suggested by having in the future to sell on a basis of 3½ per cent. annuities instead of the existing ones of 3¼ per cent it follows that there will be a saving of about 7 per cent. on the bonus, and this saving would apply to the very large amount of tenanted property all over Ireland which has not yet been sold.

Hence, partly, the following additional suggestion:—

Let the bonus on untenanted land be increased to 20 per cent. of the advance.

This suggestion has already been made by Father O'Hara.

The net loss to the Treasury would really be very small, for not only, as stated above, there would be the saving on the bonus payable on the purchase of tenanted property, but, in addition, there would be the saving derived from *losing less money* in financing the operations of the Land Act.

But even a bonus of 20 per cent. is not sufficient to tempt the average holder of good grass farms to part with them.

Excluding the important cases where the farm does not only provide a fairly safe source of income, but also gives him an opportunity of availing himself of his professional skill, and confining our attention to those cases where a farm merely affords the owner a fairly safe income, it is probable that comparatively few owners would care to sell except on receiving twenty-five times their average net income.

But the average net income should, as a rule, amount to at least one-and a-quarter, probably in many cases to one-and a-half times the second term rent, or at least the rent that Land Commissioners would now settle if asked to do so.

From this it follows that vendors would not care to sell except at prices varying from 30 to 36 times the second term rent, including bonus, so that even an increase in the bonus from 12 per cent to 20 per cent on the advance to the purchaser would by no means be found sufficient.

A gap therefore remains which requires bridging

Witness suggests that this gap be bridged by providing additional funds to the Board.

Estimating the gap at 10 per cent., an additional grant of £60,000 to the Board would enable it yearly to purchase untenanted lands worth £600,000, or worth £720,000, including the bonus

Second Recommendation.

There is a strong feeling in many parts of Ireland that the sphere of operations of the Congested Districts Board should be extended enormously; but even apart from financial considerations, it seems almost certain that a considerable extension in the areas scheduled would lead to great disappointments.

The Board could not profitably extend its activities to almost every county in Ireland; its essential duty is that of relieving very acute congestion; this does not imply that all extension would be undesirable, but that if too many districts were scheduled the chances are that the Board would keep many of them waiting for years before giving them material help

It may further be doubted if it would be wise, from a moral point of view, to treat a very much larger number of Irishmen as young children.

Witness believes that in a poor and backward country like Ireland all the poor may rightly be treated as children, but that while the poor people in the congested districts require the spoon-feeding of babes, those in less unfortunate circumstances would thrive best under more advanced treatment; and therefore witness suggests that the poor in non-scheduled districts be handed over to the care of the Estates Commissioners.

The congested districts would then form Ireland's nursery; the remaining portion of agricultural Ireland would constitute her schoolroom under the economic guidance of the Estates Commissioners

The main duties of the Estates Commissioners to consist in helping uneconomic holdings to be made economic by the addition of land and also in encouraging migrants from a distance to colonise grazing ranches and to assist in reclamation works.

But while the Congested Districts Board offers land at low rents without fines the Estates Commissioners should, in the opinion of witness, invariably levy moderate fines

Concerning the general question of levying fines, the reasons, after a little reflection, are obvious

(*a*) In congested districts there are only a very few available grass farms; the Board has therefore no difficulty in selecting candidates for them.

Over non-congested districts grass farms sometimes abound and sometimes are scarce

It would therefore be most unfair to use public money which might conceivably be used for main drainage schemes, in order to make rich men of those who happened to live near to grass farms and to do nothing for others, merely because they happened to live at some distance from those grass farms.

(*b*) It will often happen that the number of those wishing to get land will be far greater than the quantity of available land would justify; hence the necessity of some principle of selection among candidates

(*c*) The actual working powers of the staff of the Congested Districts Board must necessarily be limited, so must also be the resources of the Treasury during any one year; hence the absolute certainty of very grave discontent and unrest all over Ireland if land, and perhaps houses, are given away gratis at the discretion of any Commissioners, were they even archangels from Heaven.

(*d*) Ireland's greatest curse is its continuous depopulation. Statistics prove that during the last quarter of a century the population has declined by about one-quarter, but that the number of agricultural holdings has only decreased a little.

This proves clearly how potent holdings are to retain their possessors in Ireland.

And it also proves what an enormous amount of good could be accomplished by the Estates Commissioners if they were only to offer a part of the grass farms to young migrants, that is, to sons of small landholders all over non-congested Ireland.

The experience of the Congested Districts Board has shown how difficult it is to migrate families.

Fortunately from an Irish Ireland's point of view, there is no great necessity to migrate families, but there is the most imperative call to get the best sons of our good small and thrifty farmers to colonise Irish wastes rather than American slums

If farmers living on holdings for which they only pay a rent of perhaps £10 very frequently give their daughters dowries of from £50 to £100, and in doing so very often lay heavy burdens on their successors, does it not follow that these same farmers would thankfully pay from £20 to £40 to provide their boys with holdings as good, if not better, than those on which they were reared?

By doing so they could often provide a suitable home for their daughters with far smaller dowries.

By offering to the sons of our small farmers, say, 4,000 new holdings every year for a period of twenty years our depopulation would be most efficiently arrested, and the hope of one day obtaining a home would induce the children of our farmers to work and to save, as nothing else would do

A former witness, Mr. Boyd, referred to the need of a stimulus to make the Irish farmer work. A more than sufficient stimulus could be provided by the Estates Commissioners if they were only to undertake systematically to provide a reasonable number of new holdings for the sons of our small farmers on condition of their contributing a small part of the cost of the land in fines cash down.

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Witness begs to refer to his pamphlet.

(e) If fines were exacted the financial difficulties of providing enough land for the double purpose of improving uneconomic holdings and of the most important object of arresting our depopulation with all its resulting evils to the physical, moral, and economic health of Ireland would be enormously reduced.

A brief reference into figures shows, as has already been stated, that a gap has to be bridged between even moderate demands of vendors and the prices obtainable from a safe advance to purchasers, even should the bonus be increased to 20 per cent on the safe advances

Witness has suggested that in the case of purchases made by the Congested Districts Board this gap should be bridged out of the revenues of the Board.

In non-congested districts witness thinks it would be not only more expedient but much juster to compel the future purchasers of these holdings to bridge the gap out of their own savings.

The Estates Commissioners could, if sufficient funds are forthcoming, still do much to help in the work. Their administrative expenses will be fairly considerable; help could also be given towards fencing grass farms, and if it were possible to give grants of £20 to everyone building houses worth £100 on new holdings this would be most desirable.

The financial considerations may be summarised as follows:—

Farm yielding an estimated Net Profit of £100 to Owner.

Total Price including Bonus	Advance under Land Act	Bonus at 20 per cent	Fine.	Annuity at 3½ per cent.
£	£	£	£	£ s d.
2 500	1,875	375	250	60 18 9

This would enable a migrant to obtain a good holding of about £10 valuation on condition of paying a fine of about £30 and of paying annuities in the future of only about £7 10s. 0d

Should more Government help be required, the pressing need of settling this great problem with reasonable speed and on honest business lines leads witness to suggest a diversion from the sums now given to graziers by the grant in aid of rates

The effect of such a diversion would be twofold.

It would have the effect of inducing vendors of untenanted lands to sell whether they were absolute owners or not

The amounts thus diverted could be used solely for the purpose of greasing the wheels of voluntary purchase.

Of course, the larger farmers will object, but witness considers that the gentle and all-round pressure of a slight increase in the rates would be far juster and less oppressive than compulsion, that is, of compulsion in many cases instigated by popular pressure, with its usual accompaniment of intimidation, etc.

B.—MEMORANDUM ON PROBLEM OF CONGESTION

Chapter I.

On one subject all Irishmen are agreed, and that is in deploring the excessive emigration which is gradually turning us into a collection of the Unfit.

In agriculture we suffer, for it is not only ranches but small farms also that have been converted into pastures, which cannot possibly provide their owners with sufficient means to live vigorously

The continuous decline in our population is absolutely fatal to industry, for industries cannot be started except with the help of money and of the brains of our business people; but our business men have no courage, for every year the number of their customers grows smaller.

In other countries that, like Ireland, have to depend mainly on agriculture the towns give to many boys and girls from the country a chance of making a fairly comfortable living, but, as a rule, in Ireland the towns are merely a collection of publichouses, the condition of which is even more lamentable than that of the bullock and sheep-feeding country.

In England, in Scotland, and especially in America, the Irishman is noted for his power of hard work; but in Ireland there is no exaggeration in saying that the majority of Irishmen are half idle and half fed, and yet our population is actually less per square mile than that in Denmark, a country which cannot be compared with Ireland in its natural resources.

But in Denmark a happy combination of State and of individual effort has made the people prosperous and industrious, in spite of the fact that the country had within the memory of many of us to pass through severe national and economical crises

Our condition in Ireland is so hopeless that we must appeal for State help; on the other hand, State help, may in the long run, be worse than useless if it does not enlist the active energies of individual and of collective enterprise.

Suppose, for instance, that the Government decided to abolish all uneconomic holdings all over Ireland by enlarging farms where possible, and by migrating families where there was congestion to districts where grazing farms abounded, the effect of doing so would at first, no doubt, be very beneficial, it is just possible to suppose that the great cost would be recovered by the increased prosperity; but as this great task could not be accomplished for some years, it is certain that the moral effects would be disastrous. During that period of time the people on small holdings would be taught to depend entirely on the Government, there would not only be no encouragement given for self-help, but, on the contrary, for, if by self-help the occupier on a small holding did manage to improve his condition above that of his fellows, by doing so he would run the danger of being overlooked by a Government which was pledged to begin by relieving only the worst cases

The encouragement to pauperism would not stop there.

Among those to whom good farms had been given so easily there would certainly be found some who were not able to make ends meet, and these men would not cry in vain, for the Government that had done so much for them could hardly afford to acknowledge its mistake.

If the State begins by helping the weak and inefficient because they are weak and inefficient, it not only encourages weakness and inefficiency, but it is bound for years to come to continue to do so

It is perhaps fortunate for us that there are not enough available farms in Ireland for all holders of uneconomic holdings, for if enough land was available it is to be feared that the Government would be forced to proceed along the line of least resistance, and so for years to come utterly demoralise the labour supply, and shake Ireland's credit to its very foundations.

It may be said that the evils just indicated are purely imaginary, for Governments can only work through their officials, and that the Congested Districts Board is a model of what a Government Board should be

To some extent I agree—

The Congested Districts Board has performed its work admirably, because it did so very slowly; but the country will not tolerate now that the work should proceed slowly.

The peace of Ireland may be said to depend upon the promise of rapid work.

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I do not say that the Congested Districts Board is not able now, after its ripe experience, to work much more rapidly on condition that funds are forthcoming, but I do maintain that no Board or Boards can possibly deal satisfactorily with the existing situation until we clear our minds as to what should and what should not be done.

No part of Ireland is free from congestion. It is, or ought to be, self-evident that the absolute removal of congestion in the way that that is understood popularly is an impossibility by Boards, for in order to pacify the country the staff of those Boards would have to be increased preposterously, and the cost of administration would simply be terrible.

As it is, many have been the bitter complaints of neglect from those living in scheduled districts. Generally speaking, much has been done for Mayo, and next to nothing for others.

In some ways the Congested Districts Board has done absolutely nothing to benefit Ireland in the way that she most requires help.

No farms have been given to the sons of our small farmers, and so the best go to America, leaving the weak ones to perpetuate the race at home.

The hope of settling down on some grazing ranch would keep thousands of our boys and girls at home, and meanwhile the small or even fairly comfortable homes would, with the help of these boys and girls, be worked far better than they are now.—There are, unfortunately, many small holdings which cannot now support families, but there are thousands of others which can do so, but which are laid down in pasture simply because no one is left to work them except an old couple with perhaps a delicate child. Should the latter even be strong he will in too many cases be condemned to celibacy until his father has died, so that in Ireland not only is the marriage rate the lowest in Europe but marriages occur very often late in life.

We have in our grass ranches happily a means of changing the condition of Ireland; let some of them only be reserved for the sons of small farmers, and our depopulation will surely cease in a geometrical ratio.

At first emigration will only be checked by those to whom farms are given, but then the hope of securing such a coveted boon will keep many more in the country. Let to this be added some inducement to work and to save, and the good effect will spread all over Ireland.

Our business men will then learn that after all there is a future for the old country, and little by little various enterprises will spring up, and those which are now languishing will flourish.

But the work of the Estates Commissioners and of the Congested Districts Board has proceeded too far to allow us to hope that the Government will concentrate its energies into improving the moral tone of Ireland.

It is probable that no English Government can do so, let it be endowed with the best will in the world.

The task of distributing grass farms on the lines of least resistance locally and on the plea of mitigating the evils of congestion, which seems, unfortunately, to be the only one which appeals to the Imperial Parliament, must be pursued, it can, however, I believe, be carried out on a much safer plan than that of leaving the whole work in the hands of Commissioners and of even the good Congested Districts Board.

In the next chapter I hope to describe a plan which would, I believe, do the maximum good at the minimum of cost, and of incidental danger to the moral tone of Ireland.

Chapter II.

Before making any definite recommendations I wish to lay down some general principles which will, I think, meet with the more or less general approval of most people in Ireland.

1. The object of legislating in the matter of grass farms should not be restricted to that of giving relief to holders of uneconomic farms.

It will cost money to purchase and distribute grass farms. A part of that money will have to come from National funds. The distribution of grazing ranches should therefore be conducted in such a manner that the best possible results to the whole condition of Ireland may follow.

2. Whatever principles are finally adopted they should be such as could safely be applied to the whole of Ireland.

Should we, for instance, rule that in Mayo every family must be put in possession of land rated at a minimum valuation of £8, or else that profitable industries be started out of National funds, it will become self-evident to all who do not happen to live in that county that such a rule will at once destroy the labour supply of the whole country, and that a serious agitation is bound to be started wherever there happen to be grass farms. But if, instead of unsettling the country, making promises to people which cannot and which should not be carried out, we base our proposals on the broad principle of Ireland's over-taxation and postulate grants for the relief of poverty wherever such poverty is found, a way will be opened to us for gradually building up the whole condition of the country.

Let us look at this matter a little more closely. Ireland is over-taxed, because too great a part of her contribution to the Imperial Exchequer is derived from people whose yearly income is painfully small.

There are two ways of curing the evil.

Firstly, by remitting taxes, such as that on tobacco and on tea, which fall with special severity on the poor.

Secondly, grants in aid on a population basis.

For the purpose in hand I will confine myself to the second plan.

According to this, the money that has been spent by the Congested Districts Board in Mayo is merely a token of what is due to the poor people there and elsewhere also; and our further consideration of what is required becomes plain as soon as we have made up our minds on the amount of relief obtainable from the Treasury. As this is a most important point, I must explain my meaning more clearly.

We have at present a poorly endowed Board which has done a great deal of good, but which is confronted with a pressure of work, which I firmly believe will prove to be too great.

The Board has taken up estates and endeavoured to improve the condition of those living on them, but now land purchase is going on very rapidly, and if the Government could only overcome certain financial difficulties, in a few years time landlordism will be a matter of the past. The time has therefore come when the Board will have to face the enormous task of improving the condition of the whole province of Connaught, and when the Estates Commissioners will have to carry out similar work in the remaining portions of Ireland.

Can any sane man really believe that such a stupendous work can be carried out by these two bodies within a reasonable period of time?

Some have suggested that the work should be taken up county by county.

In other words, a whole generation of men will have to be born, married, and buried before the work will be completed.

Meanwhile, lucky individuals in the more favoured portions of Ireland will become possessed of farms worth from one to two hundred pounds, and perhaps money to work those farms will be lent to them on very easy terms, so that evidently what is done for some cannot possibly be done for others, and even if it could by waiting for years, it is certain that those who are likely to be condemned to endure the privations of poverty will derive but very little comfort on reflecting that perhaps their children or their grandchildren will some day have their turn.

Nor is this all. By neglecting to consider matters from a national point of view we do a great injustice to thousands who live in semi, but not absolutely congested districts.

We are probably right in sympathising with the agitation against grazing ranches.

It is intolerable to allow thousands of acres of our best lands to be employed for no better purpose than that of feeding bullocks and sheep when our industries and our people are decaying visibly.

But while these grazing ranches should undoubtedly be turned to a better use, there is no reason or justice in allowing those who happen to live near to them to acquire exclusive possession for themselves.

To put matters on a sound basis, that is, one which can guide us all through our attempts at solving the problem, we must ascertain exactly what

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moral right those neighbouring grass farms have over others.

We must lay down rules which will automatically give to every poor man in Ireland, as far as is possible and practicable, an even chance of bettering his condition, and, in addition, we must endeavour to enlist the invaluable aid of self-help.

Now, this can partly be done, I believe, by giving to some smaller unit, preferably that of the parish, grants for improvement purposes based on a population basis.

A congested parish will thus automatically receive more help than one whose valuation was greater but whose population was smaller.

Let the powers of localities then be limited by their grants In the event of co-operative union, in other words where the people are inclined to assist in their improvement schemes, let greater powers be given to local bodies

Let the people so far as possible be taught to help themselves gradually rather than to depend absolutely on the mercy of Boards and of Commissioners.

It is certain that the work of improvement may not always be as thorough as that actually accomplished by the Congested Districts Board, but far more will be done every year, and the more even and juster distribution of favours will pacify the country, instead of forcing the people, as at present, to agitate in order to bring the required pressure on those in authority.

Should compulsory powers be required for the purchase of land application for such powers might be made to the Congested Districts Board and to the Estates Commissioners on the part of the parishes.

In the very important matter of distribution the powers of every parish might be limited by certain rules, with the object of allowing congested parishes far greater control than those less congested over grass lands.

These suggestions are a concession to local feeling, but they also offer safeguards to many other interests in Ireland.

In very many cases there is no land available for distribution; people living in such districts require, therefore, protection on the part of some central authority.

Suppose, for instance, that many hundreds of acres are bought in some part of Roscommon, the people living in the parishes in which these farms were situated might have the first call for a certain amount, but the remaining part should be reserved for other purposes, especially for that of planting the sons of small farmers from other portions of the country where the available supply of land was more limited.

With regard to the part reserved for residents in the parishes, it would, I believe, be best to allow the members of a parish committee to control matters almost altogether, subject only to certain general rules. This would relieve the Congested Districts Board of an immense amount of work.

Something must now be said *re* finance.

The aim that is ever present in my mind is that of allowing the work to proceed so far as possible automatically.

For that purpose it is clear that the State advances to colonists must be kept within safe lines.

To be more precise, no advance should, I think, exceed twenty-five times the rent, which would correspond to one fixed by Land Commissioners, on the supposition that such a rent were to be similar in regard to the quality of the land as that applied in the case of statutory tenants.

So much can, I think, safely be advanced, but that would be entirely insufficient to satisfy a vendor whose net income might amount from 30 to 50 per cent. over the rent referred to.

A bonus of 12 per cent. would also be insufficient.

Now, when we reflect that the happy people to whom farms are given not only start by paying annuities, which are much smaller than rents paid hitherto, but further become possessors of holdings for which thousands of people would gladly pay heavy fines, it does not seem unreasonable to ask them to pay a small fine amounting to from three to four years' purchase in order to acquire a property worth far more.

Let me then briefly make the following suggestions:—

Let the advance from the State amount to three-quarters of the total price paid for the land.

Let a fine be paid amounting to one-tenth of the total price, and let the bonus be increased to 15 per cent of the total price or to 20 per cent. of the advance.

These suggestions will make it possible for vendors to sell at reasonable prices. The peace and prosperity of the country requires that better means be provided for vendors to sell at fair prices.

It is intolerable to force owners to sell valuable farms at the prices which the Estates Commissioners have been offering lately

Now, I know that my suggestion of even a very moderate fine is not likely to be accepted by the people.

I have, however, already implicitly suggested a way out of the difficulty

In advocating liberal grants to parishes for improvement purposes, it follows that the fines suggested might be paid by the parishes.

Suppose, for instance, that the annual parish grant amounted to 2s 6d. per inhabitant, a parish of 2,000 souls would then receive yearly £250. It might, if it chose, earmark this grant for four years, thus contributing £1,000 for fines, which would allow it to purchase land costing altogether £10,000 of a valuation of about £360. Should the whole of that land be devoted for the purpose of enlarging holdings about seventy families could be materially bettered, and after the four years referred to improvements might be made for other objects.

I said after the four years, but I really mean before, for if matters are left to the discretion of residents, the majority of whom are poor, and if, instead of drawing from the long purse of a Government Department, they merely use their own moneys, it is almost certain that philanthropy will take a more practical turn, and those to whom land is given will be expected to make some return to the parish which has begun work by helping them in particular.

The return referred to might take the form of small payments for a term of years

With regard to the great work of helping the sons of small farmers, there would, I firmly believe, be no difficulty in exacting small fines.

The only real difficulty is the fear of meeting with the opposition of old residents in the parishes. But by giving to every parish absolute power over a portion of its grass lands the excuse for any hostility to strangers would disappear.

This idea of parish Home Rule would further be most helpful in many other respects, *i.e.*, socially, economically, and educationally.

With regard to compulsion, there is much to be said on both sides Assuming, however, that compulsion is inevitable, care should be taken to reduce its hardships so far as possible. That can be done by allowing every man to hold land free from the danger of compulsion in proportion to the valuation of his buildings (in this way resident landlords and good farmers would be protected), but mere graziers should be forced to sell their land to those who would make a better use thereof. In order, however, to help all these suggestions it seems necessary to reduce the agricultural grant in so far as it reduces the rates. By diverting £200,000 from the agricultural grant towards the endowment of parishes on a population basis nearly half of the money required for such a useful purpose would be provided out of Irish resources, and the burden would only fall on the graziers whose farms are now in danger. I need not add that this is far preferable to organised terrorism followed by the uncertain action of Commissioners

In advocating parish endowments and parish home rule in the matter of distributing grass lands, I had other desirable objects in my mind, chief among which greater efficiency from the work of the Department of Agriculture; but while much can be said on that point, its importance is relatively insignificant, for the crying need of the country is a more uniform bestowal of favours from Government money. That can, I think, be secured by an endowment to parishes of as many half-crowns as there are people, and that money would make various other improvements immediately possible, thus slightly diverting the people's

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minds from their existing attitude of looking to other people's property as their sole hope.

But in making these suggestions I do not wish to imply that the poorest congested districts are not deserving of still greater help. Nor would I for one moment allow that special interests in Ireland do not also require special consideration. My wish is, on the contrary, that the parish should co-operate with other bodies for all Ireland improvement purposes, but that the help forthcoming from public bodies, such as the Department of Agriculture and the Congested Districts Board should only be given on condition that the parishes also contribute materially and morally, materially from their endowments, morally by means of the new constitution thus given to the best possible unit, viz., the parish. These suggestions are not original, they are merely an attempt of adapting the best Continental methods to existing Irish requirements.

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NOTE ON GRIFFITH'S VALUATION AND ITS RELATION TO RENT.

It was stated in evidence before the Commission that Sir R. Griffith declared that the Poor Law Valuation of Ireland was 25 per cent. below the fair rent, or letting value (see Q. 14997, 15437-46, and also Appendix to the Third Report, page 338, par. 1). On the other hand, the Commissioner on Valuation stated (Q. 22579-82) that though Griffith's valuation was below the letting value at the time it was made, he could not say that the difference was 25 per cent., nor was he aware of any particular evidence on which that statement could be based. Again, another witness stated (Q. 24361) that "Sir R. Griffith wrote a letter to his niece, which had a passage that he thought 25 per cent. added to his valuation might make a fair rent or something like that; *there was nothing authoritative in it.*" The question is further complicated by the fact that several rather indefinite statements have been made before other Commissions, which seem to suggest that Sir R. Griffith instructed his valuers to fix the valuation at 25 per cent. below what would be the letting value.

These somewhat contradictory statements seem to make it desirable to have the matter cleared up.

(1) There seems to be absolutely no foundation for the suggestion that Sir R. Griffith instructed his valuers to fix the valuation at 25 per cent below what would be the letting value.

(2) Sir R. Griffith seems to have made many statements about his valuations, some of which are not easy to reconcile but the two statements most commonly quoted are:—(*a*) A communication dated 20th April, 1841, addressed to the Commission of Inquiry into the Grand Jury Laws and quoted in the Report (page 4) of the Select Committee of 1840, on the Townland Valuation of Ireland, in which he said, "I have to observe that our valuation is about 25 per cent. under the full or rack-rent valuation, but very near that of many of the principal proprietors"; and (*b*) a statement in his "Outlines of System of General Valuation of Ireland," that "If one-third is added [to the valuation] the result will give the full rent value of the land under ordinary proprietors."

It is most important, however, to note that both these statements refer solely to the Townland Valuation carried out under the Acts of 1826 and 1836, and have no reference to the Tenement Valuation carried out under the Acts of 1846 and 1852, although these statements are frequently quoted as though they applied to the valuation now in force. (See Memorandum by Mr. Murrough O'Brien submitted to the Commission on Local Taxation; Cd. 383, 1900, pp. 187-93.)

(3) In the instructions issued under the 8th Section of the Valuation Act, it is provided that the valuation in regard to the land "shall be made upon an estimate of the net annual value thereof, with reference to the average prices of the several articles of agricultural produce hereinafter specified, all peculiar local circumstances, in each case, being taken into consideration, and all rates, taxes, and public charges, if any (except tithe rent-charge), being paid by the tenant." Obviously, the "net annual value" arrived at under these conditions could not be expected to coincide with the letting value to a tenant then, still less with a fair rent fixed to-day, when the legal position of the tenant has been entirely changed by the Land Acts, to say nothing of the changes in the prices of produce and the cost of labour. Neither could it be expected that there should be any uniform ratio between the valuation and the rent, since, to mention only one reason, the valuation is relatively higher in Ulster than elsewhere and is not uniform throughout the rest of Ireland. Thus it was stated before the House of Commons Committee in 1869 that increases varying from 10 to 25 per cent would have to be made in the valuation of different counties in Connaught, Leinster and Munster, to make their valuation comparable with that of the Ulster counties.

These facts seem to bear out the contention of most witnesses, that whilst the Poor Law Valuation is no doubt in general a satisfactory basis for local taxation, it is not a satisfactory or uniform guide either to what was the letting value of land at the time the valuation was made, or to what is the fair rent at the present day.

WALTER CALLAN,
Secretary.

18*th July*, 1907.

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APPENDIX

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RETURN showing particulars of ESTATES PURCHASED AND RE-SOLD by the BOARD, arranged in Four Classes, viz.—(1) Estates
(2) Estates
(3) Estates
(4) Estates

(A.) SUMMARY

COUNTY.	Number of Estates.	Class.	Acreage at time of Purchase			Poor Law Valuation of Columns 5, 6, and 7		
			Tenanted	Untenanted	Total	Tenanted	Untenanted	Total
	1		5	6	7	8	9	10
			Acres.	Acres.	Acres.	£	£	£
DONEGAL.								
	1	One.	93	—	93	37	—	37
	—	Two.	—	—	—	—	—	—
	5	Three.	5,498	4,185	9,683	899	590	1,489
Total Purchased by Board prior to Act of 1903,	6	—	5,591	4,185	9,776	936	590	1,526
Total Purchased by Board since Act of 1903	1	Four	542	—	542	100	—	100
Total Purchased by Board under both Acts, ..	7	—	6,133	4,185	10,318	1,036	590	1,626
LEITRIM								
	1	Three	56	150	206	23	54	77
Total Purchased by Board prior to Act of 1903, and Gross Total	1	—	56	150	206	23	54	77
SLIGO								
	—	One.	—	—	—	—	—	—
	—	Two.	—	—	—	—	—	—
	1	Three.	254	176	430	95	94	189
Total Purchased by Board prior to Act of 1903	1	—	254	176	430	95	94	189
Total Purchased by Board since Act of 1903 ...	6	Four	6,360	3,020	9,380	2,610	956	3,566
Total Purchased by Board under both Acts, .	7	—	6,614	3 196	9,810	2 705	1,050	3,755
MAYO								
	4	One	4,543	780	5,323	863	220	1 083
	7	Two.	103,425	5,065	108,490	25,299	1,544	26,843
	13	Three.	23,362	9,767	33,129	4,187	1,978	6 165
Total Purchased by Board prior to Act of 1903, ...	24	—	131, 330	15 612	146,912	30,349	3,742	34,091
Total Purchased by Board since Act of 1903	47	Four	103,676	28,994	132 670	17,559	2,352	19,911
Total Purchased by Board under both Acts, . ..	71	—	235 006	44,606	279,612	47,908	6,094	54,002
ROSCOMMON								
Total Purchased by Board prior to Act of 1903	1	Three	753	684	1 437	394	398	792
Total Purchased by Board since Act of 1903, ..	16	Four.	36,745	15,259	52,004	16,587	5,216	21,803
Total Purchased by Board under both Acts, ...	17	—	37 498	15,943	53,441	16,981	5,614	22 595

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IX.

of the Congested Districts Board.

purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.
purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under Act of 1903.
purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under Act of 1903.
purchased under Act of 1903, and Sold under the same Act.

OF RETURN.

Rental (of Tenanted Land only) at time of Purchase				Total Price of Estate, including sums paid for tenancy interests as per Column 17	Net sums paid for Tenants' Interests included in Price of Estates, Column 16	Number of Years' Purchase of Poor Law Valuation, Columns 8, 9, and 10.			COUNTY
First Term.	Second Term	Other	Total			Tenanted	Untenanted	Total	
11	12.	13	14.	16.	17.	18.	19	20	
£	£	£	£	£	£				
—	—	41	41	672	23	17¾	—	17¾	DONEGAL
—	—	—	—	—	—	—	—	—	
536	73	97	706	23,214	810	11¾	20	15	
536	73	138	747	23 893	833	12	20	15	Total Purchased by Board prior to Act of 1903.
105	10	—	115	2,276	—	22¾	—	22¾	Total Purchased by Board since Act of 1903
641	83	138	862	26 169	833	13	20	15½	Total Purchased by Board under both Acts.
6	—	14	20	1,205	—	13¾	16½	15⅓	LEITRIM
6	—	14	20	1,205	—	13¾	16½	15¼	Total Purchased by Board prior to Act of 1903, and Gross Total
—	—	—	—	—	—	—	—	—	SLIGO
—	—	—	—	—	—	—	—	—	
—	—	107	107	3,977	—	16	32	24	
—	—	107	107	3,977	—	16	32	24	Total Purchased by Board prior to Act of 1903
907	964	397	2,268	73,893	—	18	23	20¾	Total Purchased by Board since Act of 1903
907	964	504	2,375	77,870	—	18	28½	21	Total Purchased by Board under both Acts
143	—	664	807	14,082	728	10¾	21½	13	MAYO
926	108	18,941	19,975	337 097	10 097	12	14½	12¼	
2,978	697	733	4 408	117,695	1,474	17½	22¾	19¼	
4,047	805	20 338	25,190	168,874	12 299	12¾	19¼	13½	Total Purchased by Board prior to Act of 1903.
4,923	6 702	4,883	16,508	406,952	5 332	18½	34	20¼	Total Purchased by Board since Act of 1903
8,970	7,507	25,221	41 698	875,826	17 631	14¾	25	16	Total Purchased by Board under both Acts.
									ROSCOMMON
319	—	—	319	15,069	1,055	12¾	31⅓	22¼	Total Purchased by Board prior to Act of 1903
11,252	1,677	842	13,771	407,090	3,004	17	25½	19	Total Purchased by Board since Act of 1903
11,571	1,677	842	14 090	422,156	4,059	17	25¾	19¼	Total Purchased by Board under both Acts

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RETURN (*continued*) showing particulars of ESTATES PURCHASED AND RE-SOLD by the BOARD, arranged in FOUR CLASSES, viz.:—

(1) Estates
(2) Estates
(3) Estates
(4) Estates

(A) SUMMARY

COUNTY	Number of Years' Purchase of Rent, Columns 11 12 13, and 14.				Expenditure on Permanent Improvements up to 30th September, 1906				
	First Term	Second Term.	Other.	Total	Buildings	Drainage	Roads	Miscellaneous	Total.
	21	22.	23	24	25.	26	27	28.	29
					£	£	£	£	£
DONEGAL.	—	—	16	16	288	42	9	71	410
	—	—	—	—	—	—	—	—	—
	14½	18¾	15½	15	3 409	457	2,747	3,052	9,665
Total Purchased by Board prior to Act of 1903	14½	18¾	15¾	15	3,697	499	2 756	3,123	10,075
Total Purchased by Board since Act of 1903	19¼	22	—	20¾	—	—	—	—	—
Total Purchased by Board under both Acts	15¼	19¼	15¾	15¾	3 697	499	2 756	3,123	10,075
LEITRIM									
	16	—	15¾	16	—	13	—	25	38
Total Purchased by Board prior to Act of 1903, and Gross Total	16	—	15¾	16	—	13	—	25	38
SLIGO	—	—	—	—	—	—	—	—	—
	—	—	—	—	—	—	—	—	—
	—	—	14¼	14¼	542	110	211	324	1,187
Total Purchased by Board prior to Act of 1903	—	—	14¼	14¼	542	110	211	324	1,187
Total Purchased by Board since Act of 1903	19⅝	22¼	19¼	20¼	581	426	727	549	2,283
Total Purchased by Board under both Acts	19⅞	22¼	18¼	20¼	1,123	536	938	873	3 470
MAYO									
	12⅞	—	11¼	11½	4 786	378	3,231	3,509	11,907
	11½	15¼	15¼	15¼	27,425	17,111	17,290	25,673	87,499
	16	19⅝	15¼	16½	12 870	4,295	6,071	10 062	33,298
Total Purchased by Board prior to Act of 1903	14⅞	19	15¼	15¼	45,081	21,784	26,595	39,244	132 704
Total Purchased by Board since Act of 1903	18⅝	21	18¼	19¼	6,948	7,484	8,724	6,596	29,752
Total Purchased by Board under both Acts	17	21	16	17	52,029	29,268	35,319	45,840	162,456
ROSCOMMON									
Total Purchased by Board prior to Act of 1903.	15¾	—	—	15¾	1,583	92	833	893	3,401
Total Purchased by Board since Act of 1903	20¼	23	19¾	20¾	727	13,560	4,089	1,510	19,886
Total Purchased by Board under both Acts	20¼	23	19¾	20½	2 310	13,652	4,922	2,403	23 287

[a] This Column (23) includes Locksplitting Fencing, River Drainage, and supervision of all Improvement Works, &c, &c

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of the CONGESTED DISTRICTS BOARD.

purchased under Old Acts (*i.e.* Prior to Act of 1903), and Sold under Old Acts.
purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under Act of 1903
purchased under Old Acts (*i.e.*, Prior to Act of 1903), and sold entirely under Act of 1903
purchased under Act of 1903, and Sold under the same Act

OF RETURN—*continued*,

Percentage of Cost of Improvements on Price of Estates (Column 16)	Portion not Re sold on 30th September, 1906.			Portion Re-sold by Board on 30th September, 1906.			Total Estimated Re-sale Price of entire Estate	Total Estimated Annuities Payable for entire Estate	COUNTY
	Poor Law Valuation	Estimated Re-sale Price	Estimated Annuities	Poor Law Valuation.	Re-sale Price	Annuities Payable.			
30	31	32.	33	34	35.	36	37	38	
	£	£	£ s d	£	£	£	£	£ s d	DONEGAL.
60·38	—	—	—	42	648	25 18 4	648	25 18 4	
—	—	—	—	—	—	—	—	—	
41·53	637	11,460	372 9 1	852	17,043	538 17 9	28,503	911 0 10	
42·16	637	11,460	372 9 1	894	17,691	564 18 1	29,151	937 5 9	Total Purchased by Board prior to Act of 1903.
—	100	2,276	73 19 6	—	—	—	2,276	73 19 6	Total Purchased by Board since Act of 1903
38·43	737	13,736	446 8 7	894	17,691	564 16 1	31,427	1,011 4 8	Total Purchased by Board under both Acts
									LEITRIM
3·15	77	1,205	39 3 3	—	—	—	1,205	39 3 3	
3·15	77	1,205	39 3 3	—	—	—	1,205	39 3 3	Total Purchased by Board prior to Act of 1903 and Gross Total
									SLIGO
—	—	—	—	—	—	—	—	—	
—	—	—	—	—	—	—	—	—	
29·84	—	—	—	189	4,787	155 11 4	4,787	155 11 4	
29·81	—	—	—	189	4,787	155 11 4	4,787	155 11 4	Total Purchased by Board prior to Act of 1903
3·05	3,566	75,026	2,438 3 8	—	—	—	75,026	2,438 3 8	Total Purchased by Board since Act of 1903
4·45	3,566	75,026	2,438 3 8	189	4,787	155 11 4	79,813	2,593 15 0	Total Purchased by Board under both Acts
									MAYO.
84·55	21	377	12 5 0	1,062	18,501	734 12 3	18,878	747 3 3	
29·95	1,504	22,515	731 14 2	25,339	359,512	11,908 6 4	382,027	13,640 0 6	
25·30	1,948	42,843	1,392 7 8	4,217	91,262	2,946 9 5	134,105	4,338 16 11	
28·30	3,473	65,735	2,136 8 8	30,618	469,275	15,589 14 0	535,010	18,726 0 8	Total Purchased by Board prior to Act of 1903
7·54	19,704	455,955	14,819 13 7	207	7,486	243 5 9	463,441	15,061 19 4	Total Purchased by Board since Act of 1903
18·52	23,177	521,690	16,955 0 3	30,825	476,761	15,832 19 9	998,451	33,786 0 0	Total Purchased by Board under both Acts.
									ROSCOMMON.
22·57	37	1,156	37 11 4	755	14,568	473 9 2	15,724	511 0 6	Total Purchased by Board prior to Act of 1903
4·88	21,803	426,433	13,859 1 5	—	—	—	426,433	13,859 1 5	Total Purchased by Board since Act of 1903
5·51	21,840	427,589	13,896 12 9	755	14,568	473 9 2	442,157	14,370 1 11	Total Purchased by Board under both Acts.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED AND RE-SOLD by the Board, arranged in Four Classes, viz.:—

(1) Estates
(2) Estates
(3) Estates
(4) Estates

(A.) SUMMARY

COUNTY.	Number of Estates	Class.	Acreage at time of Purchase			Poor Law Valuation of Columns 5, 6, and 7		
			Tenanted	Untenanted	Total.	Tenanted	Untenanted	Total
	1.		5.	6	7.	8.	9	10
GALWAY.			Acres.	Acres.	Acres.	£	£	£
	3	One.	1,366	1,804	3,170	638	347	985
	2	Two	688	1,087	1 775	95	135	230
	7	Three	2,838	2,928	5,766	426	989	1 415
Total Purchased by Board prior to Act, 1903 ...	12	—	4,892	5,819	10,711	1,159	1 471	2,630
Total Purchased by Board since Act, 1903, ...	25	Four.	12,243	9,791	22,034	3,159	3,807	6,966
Total Purchased by Board under both Acts, ...	37	—	17,135	15,610	32,745	4,318	5 278	9 596
KERRY.								
Total Purchased by Board under Old Acts, ...	2	Three	—	326	326	—	222	222
Total Purchased by Board under Act, 1903, ...	6	Four	40,193	1 487	41 680	5 997	246	6,243
Total Purchased by Board under both Acts, ...	8	—	40,193	1,813	42,006	5,997	468	6,465
CORK, W.R.								
Total Purchased by Board under Act, 1903, and Gross Total	5	Four	5,381	397	5,778	952	12	964
ALL COUNTIES.								
	8	One	6,002	2 584	8,586	1,638	567	2 105
	9	Two.	104 113	6,152	110,265	25,394	1,679	27-073
	30	Three	32,761	18,216	50,977	6 024	4,325	10,349
Total Purchased by Board prior to Act, 1903 ...	47	—	142 876	26 952	169 828	32,956	6,571	39,527
Total Purchased by Board since Act, 1903, ...	106	Four.	205,140	58,948	264 088	46,964	12,589	59,553
Total Purchased by Board under both Acts to 30th September, 1906	153	—	348,016	85,900	433 916	79,920	19 160	99 080

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purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.
purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under Act of 1903
purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under Act of 1903.
purchased under Act of 1903, and Sold under the same Act.

OF RETURN—*continued.*

Rental (of Tenanted Land only) at time of Purchase.				Total Price of Estate, including sums paid for tenancy interests as per Column 17	Net sums paid for Tenants Interests included in Price of Estates, Column 16	Number of Years' Purchase of Poor Law Valuation, Columns 8, 9, and 10			COUNTY
First Term	Second Term	Other	Total			Tenanted	Untenanted	Total.	
11	12	13	14	16.	17	18.	19	20.	
£	£	£	£	£	£				GALWAY
644	—	—	644	15,822	208	13	20⅞	15⅞	
62	—	105	167	4,079	135	24¼	12	17⅞	
256	—	189	444	32,324	661	17¼	24⅞	22½	
961	—	294	1,255	52,225	1,004	15⅝	22½	19⅞	Total Purchased by Board prior to Act, 1903.
1 109	426	1 627	3 162	179 856	1,496	19	31¼	25¾	Total Purchased by Board since Act, 1903.
2,070	426	1 921	4,417	232,081	2,500	18	28¾	24	Total Purchased by Board under both Acts.
									KERRY
—	—	—	—	4 645	300	—	21	21	Total Purchased by Board under Old Acts.
4,679	291	1,761	6,731	134,908	978	21¼	28½	21⅞	Total Purchased by Board under Act, 1903
4,679	291	1,761	6,731	139,553	1 278	21¼	25	21½	Total Purchased by Board under both Acts
									CORK, W.R
498	76	343	917	17,090	35	17¾	18¾	17⅞	Total Purchased by Board under Act, 1903, and Gross Total
									ALL COUNTIES
787	—	705	1,492	30 533	959	11½	21	14¼	
988	108	19,046	20,142	311,176	10,232	12	14¼	12¾	
4,994	770	1,140	6,904	198,126	4,300	16¼	23⅞	19¼	
5,869	878	20,891	27,638	569 885	15,491	12¾	21	14¼	Total Purchased by Board prior to Act, 1903
23,473	10,146	9,853	43,472	1,222,065	10,345	18¼	29	20¼	Total Purchased by Board since Act, 1903.
29 342	11,024	30,744	71,110	1,791,950	26,336	16	26¼	18	Total Purchased by Board under both Acts to 30th September, 1906.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED AND RE-SOLD by the BOARD, arranged in Four Classes, viz :—

(1) Estates
(2) Estates
(3) Estates
(4) Estates

(A) SUMMARY

COUNTY	Number of Years' Purchase of Rent, Columns, 11, 12, 13, and 14.				Expenditure on Permanent Improvements up to 30th September, 1908.				
	First Term	Second Term	Other.	Total	Buildings.	Drainage.	Roads.	Miscellaneous.*	Total
	21.	22.	23.	24	25.	26	27	28.	29
GALWAY					£	£	£	£	£
	12¾	—	—	12¾	3,469	844	2,186	2 809	9 308
	15¾	—	12¾	13¾	797	46	366	1,000	2,209
	18½	—	17¼	16¾	4,047	442	1 044	2,846	8,379
Total Purchased by Board prior to Act, 1903,	14	—	15¾	14½	8,313	1,332	3,596	6,655	19,896
Total Purchased by Board since Act, 1903	19½	22¼	18	19	4,924	1,319	3,275	3,498	13 016
Total Purchased by Board under both Acts.	17	22¼	17¾	17¾	13 237	2,651	6 871	10 153	32,912
KERRY									
Total Purchased by Board under Old Acts.	—	—	—	—	1	—	—	111	112
Total Purchased by Board under Act, 1903	19	20½	18	18¾	163	799	2,199	1,825	4,986
Total Purchased by Board under both Acts	19	20½	18	18¾	164	799	2,199	1,936	5,098
CORK, W R									
Total Purchased by Board under Act, 1903, and Gross Total	19½	21	18	18½	30	158	797	152	1,137
ALL COUNTIES.									
	12¾	—	11½	12¼	8 543	1 264	5,429	6 389	21 625
	11¾	15¼	15½	16¼	28,222	17 157	17,656	26,673	89 708
	15¾	20	15¾	18½	22,452	5 409	10 996	17,313	56 080
Total Purchased by Board prior to Act, 1903	14¾	19½	15½	15½	59,217	23,830	33,991	50 375	167 413
Total Purchased by Board since Act, 1903.	19¾	21½	18¼	19¾	13,373	23,746	19 811	14,130	71,060
Total Purchased by Board under both Acts to 30th September, 1908	18¾	21½	16¼	18	72,590	47,576	53,802	64 505	238,473

* This Column (28) includes Lockspitting Fencing, River Drainage, and supervision of all Improvement Works, &c., &c

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purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.

purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under Act of 1903

purchased under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under Act of 1903.

purchased under Act of 1903 and Sold under the same Act.

OF RETURN—*continued*

Percentage of Cost of Improvements on Price of Estates (Column 10)	Portion not Re-sold on 30th September, 1906			Portion Re-sold by Board on 30th September 1906.			Total Estimated Re-sale Price of entire Estate	Total Estimated Annuities Payable for entire Estate.	COUNTY.
	Poor Law Valuation.	Estimated Re-sale Price.	Estimated Annuities.	Poor Law Valuation	Resale Price.	Annuities Payable			
30	31	3	33	34	35	36.	37	38.	
	£	£	£ s. d	£	£	£ s. d	£	£ s d	
									GALWAY
58 82	3	114	3 14 2	982	17,171	671 16 9	17,285	675 10 11	
34 15	30	713	23 3 5	200	4 161	156 19 8	4,874	180 3 1	
25 92	502	12 880	418 11 11	913	22 704	737 17 8	35,584	1,156 9 5	
38 09	535	13,707	445 9 6	2,095	44,036	1 566 15 11	57,743	2,012 3 5	Total Purchased by Board prior to Act, 1903
7 23	6.512	168,730	5,483 14 6	454	13,363	434 5 9	182,093	5,918 0 3	Total Purchased by Board since Act, 1903.
14·24	7.047	182,437	5,929 4 0	2,549	57 399	2,000 19 8	239,836	7,930 3 8	Total Purchased by Board under both Acts
									KERRY.
2 41	222	4,645	150 19 4	—		-	4,645	150 19 4	Total Purchased by Board under Old Acts.
3 69	6,101	132,440	4 304 5 6	142	2,352	76 8 9	134,792	4,380 14 3	Total Purchased by Board under Act 1903
3·65	6 323	137,085	4,455 4 10	142	2,352	76 8 9	139,437	4,531 13 7	Total Purchased by Board under both Acts
									CORK, W.R
6 65	964	18,712	608 2 10	—	—	—	18,712	608 2 10	Total Purchased by Board under Act, 1903 and Gross Total
									ALL COUNTIES.
70 70	24	491	15 19 2	2,036	36,320	1,482 13 4	36,811	1,449 12 6	
26 29	1,534	23,228	754 17 7	25,539	363,673	13,065 6 0	386,901	13,820 3 7	
28·30	3,425	74,189	2,411 2 5	6,926	150,364	4,852 5 2	224,553	7,263 7 7	
29·37	4 981	97,908	3,181 19 2	34,551	550,357	19,350 4 6	648,265	22,532 3 8	Total Purchased by Board prior to Act, 1903.
5·81	58.750	1,279,572	41 586 1 0	803	23,201	754 0 3	1,302,773	42 340 1 3	Total Purchased by Board since Act, 1903
13·30	63,731	1,377,480	44,768 0 2	35,354	573,558	20,104 4 9	1 951,038	64,872 4 11	Total Purchased by Board under both Acts to 30th September, 1906.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED AND SOLD by the Board, arranged in

(1) Estates purchased

(2) Estates purchased

(3) Estates purchased

(4) Estates purchased

B.—DETAILED

COUNTY.	Class	ESTATE.	Date of Agreement to purchase Estate.	Date of Vesting of Estate in Board.	Date on which two-thirds (in Value) of Estate had been Sold by the Board.	Acreage at time of Purchase		
						Tenanted.	Untenanted.	Total.
		1.	2.	3.	4.	5	6	7
						Acres.	Acres	Acres.
DONEGAL,	One,	Carrowcannon, ..	February, 1898,	26th Feb., 1898,	8th May, 1901,	93	—	93
	Three,	W. R. Tredennick,	10th Nov., 1899,	1st Feb., 1900,	29th Mar., 1905,	140	319	459
	,,	Charley,	3rd Dec., 1901,	3rd Dec., 1901,	21st Mar., 1905,	2,462	1,950	4,412
	,,	C. J. Tredennick,	18th Mar., 1902,	18th Mar., 1902,	—	140	280	420
	,,	Faucett,	November, 1902,	12th Dec., 1903,	—	28	142	170
	,,	Joule, ..	January, 1903,	7th Oct., 1903,	—	2,728	1,494	4,222
		Total and averages,	—	—	—	5,499	4,185	9,683
	Four,	N. M. Loone, ..	15th July, 1904,	—	—	542	—	542
		Total and averages for all Classes.	—	—	—	6,133	4,185	10,318
LEITRIM,	Three,	Kilgarriff ..	23rd Dec., 1902,	19th Mar., 1903,	—	56	150	206
SLIGO,	Three,	Fitzgerald (Tullycusheenmore),	24th May, 1901,	14th June, 1901,	15th Oct., 1904,	254	176	430
	Four,	Capt. Armstrong,	June, 1904, ..	24th July, 1909,	—	2,845	1,314	4,159
	,,	Col. Gethin, .	9th April, 1905,	24th July, 1906,	—	954	763	1,717
	,,	P. R. Hale, ..	5th Aug., 1904,	22nd Oct., 1909,	—	588	192	780
	,,	Margison, .	4th Feb., 1904,	9th July, 1905,	—	531	215	746
	,,	H. P. Baker,	1st Mar., 1909,	—	—	—	99	99
	,,	E. F. Phibbs, ..	27th Feb., 1906,	—	—	1,442	437	1,879
		Total and averages	—	—	—	6,360	3,020	9,380
		Total and averages for all Classes	—	—	—	6,614	3,196	9,810
MAYO, .	One, ..	Clare Island,	December, 1894,	15th Mar., 1895,	28th Mar., 1901,	3,488	553	4,041
	,,	Leetch, ..	16th Feb., 1898,	18th Feb., 1898,	7th May, 1902,	538	—	538
	,,	Higgins, ,	2nd Dec., 1898,	15th Dec., 1898,	26th Nov., 1901	62	212	274
	,,	Strong, . .	13th Nov., 1900,	16th Jan., 1901,	29th Mar., 1902,	455	15	470
		Total and averages	—	—	—	4,543	780	5,323

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Four Classes, viz —

under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.

under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903.)

under Old Acts (*i.e.* Prior to Act of 1903) and Sold entirely under New Act.

under New Act (*i.e.* Since Act of 1903), and Sold under the same Act

FIGURES.

Poor Law Valuation			Rental (of Tenanted Land only) at time of Purchase.				State if Estate is wholly or partially in a Congested District.	Total Price of Estate, including sums paid for Tenancy Interests as per Column 17.	Net Sums paid for Tenants' Interests included in Price of Estate, Column 16.	ESTATE
Tenanted.	Untenanted	Total.	1st Term.	2nd Term.	Other.	Total.				
8.	9.	10.	11	12.	13	14	15	16.	17.	
£	£	£	£	£	£	£		£	£	
37	—	37	—	—	41	41	Congested,	879	23	Carrowcannon
98	241	339	—	73	—	73	Non-Congested,	6,122	30	W. R. Tredennick.
483	68	551	482	—	—	482	Congested, .	7,937	5	Charley.
109	190	299	40	—	46	86	do, .	9,819	741	C. J. Tredennick.
11	54	95	14	—	—	14	Non-Congested,	1,332	30	Fawcett.
193	37	235	—	—	51	51	Congested,	1,204	4	Joule.
899	590	1,489	536	73	97	706	—	28,214	810	Total and averages.
100	—	100	105	10	—	115	Congested	2,276	—	N. M Loone.
1,039	590	1,926	641	93	138	892	—	26,169	833	Total and averages for all Classes
23	54	77	6	—	14	20	Congested,	1,205	—	Kilgarriff
95	94	189	—	—	107	107	Congested, .	3,977	—	Fitzgerald (Tullycushcenmore)
1,289	691	1,980	509	317	181	1,097	Non-Congested,	39,804	—	Capt. Armstrong.
508	99	602	49	389	8	446	Congested, ..	15,000	—	Col. Gethin
170	55	225	—	161	9	168	Practically all Congested.	5,000	—	P R Hale.
201	33	234	91	—	81	172	Congested, ..	4,412	—	Margison.
—	75	75	—	—	—	—	Non-Congested,	1,050	—	H. P. Baker
447	3	450	168	97	122	387	Congested,	7,997	—	E. F. Phibbs.
2,910	956	3,593	907	954	207	2,299	—	73,893	—	Total and averages.
2,705	1 050	3,755	907	904	504	2,375	—	77,970	—	Total and averages for all Classes
462	69	531	—	—	391	391	Congested, .	5,373	318	Clare Island.
180	—	180	143	—	32	175	do., ..	2,485	250	Leetch.
30	150	18	—	—	57	57	do., ..	3,325	—	Higgins
191	1	192	—	—	184	184	do.,	2 897	100	Strong.
863	220	1,983	143	—	664	807	—	14,082	722	Total and averages.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED AND SOLD by the Board, arranged in

(1) Estates purchased

(2) Estates purchased

(3) Estates purchased

(4) Estates purchased

B.—DETAILED

COUNTY	Class	ESTATE	Number of Years' Purchase of Poor Law Valuation (Columns 8, 9, 10)			Number of Years' Purchase of Rent (Columns 11, 12, 13, 14)			
			Tenanted.	Untenanted.	Total.	1st Term.	2nd Term.	Other.	Total.
			18.	19.	20.	21.	22.	23	24
DONEGAL,	One, ..	Carrowcannon, ..	17¾	—	17¾	—	—	16	16
	Three, ..	W. R. Tredennick,	14	19⅞	18	—	18¾	—	18⅞
	" ..	Cherley, "	14	17½	14½	14	—	—	14
	" ..	C. J. Tredennick, ..	14¾	22½	19⅞	18⅞	—	18¾	18⅞
	" ..	Fawcett, ..	21¾	16⅞	20	17	—	—	17
	" ..	Joule, ..	5¾	14¼	5	—	—	12¾	12⅞
		Total and averages,	11¾	20	16	14½	18¾	15½	15
	Four, ..	N. M'Loone, ..	22¾	—	22¾	16½	22	—	20¾
		Total and averages for all Classes.	13	20	15½	15¼	19¼	15⅞	15⅞
LEITRIM,	Three, ..	Kilgarriff, ..	18¾	16½	15⅞	16	—	15⅞	16
SLIGO, ..	Three, ..	Fitzgerald (Tullycusheenmore).	16	32	24	—	—	14¼	14¼
	Four, ..	Capt. Armstrong, ..	17¾	24¼	20¼	20	23	20	20⅞
	" ..	Col. Gethin, ..	19¼	54¼	25	16	22	18	21½
	" ..	F. R. Hale, ..	20⅞	27¼	22¾	—	21	20	21
	" ..	Margison ..	16½	33½	18¾	16¼	—	13¼	19¼
	" ..	H. P. Baker, ..	—	22	22	—	—	—	—
	" ..	E. T. Phibbs, ..	17¼	83½	17¾	16	23	18	20
		Total and averages	18	28	20¾	19¾	22¼	19½	20¾
		Total and averages for all Classes	18	28½	21	18¾	22½	18½	20½
MAYO, ..	One, ..	Clare Island	8	20	8½	—	—	9½	9½
	" ..	Leetch,	12½	—	12½	12¾	—	12¾	12⅞
	" ..	Higgins,	20½	22	21¼	—	—	10⅞	10⅞
	" ..	Strong,	14½	20	14¼	—	—	15	15
		Total and averages	10¾	21½	13	12¾	—	11½	11½

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under Old Acts (*i.e.* Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903.)

under Old Acts (*i.e.* Prior to Act of 1903), and Sold entirely under New Act.

under New Act (*i.e.* Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Expenditure on Permanent Improvements up to 30th September, 1906.					Percentage of Cost of Improvements on Price of Estate, Column 10.	Portion not re-sold on 30th September, 1906			ESTATE
Buildings.	Drainage.	Roads.	† Miscellaneous	Total.		Poor Law Valuation.	Estimated Resale Price.	Estimated Annuities.	
25.	26.	27.	28.	29	30.	31	32.	33.	
£	£	£	£	£		£	£	£ s. d	
288	42	9	71	410	60 38	—	—	—	Carrowcannon.
882	90	61	177	1,210	18 78	10	340	11 1 0	W R Tredennick.
721	310	2,181	1,599	4,811	60 81	28	740	24 1 0	Charley.
1,285	94	250	827	2,136	38·02	239	7,795	253 6 10	C. J. Tredennick.
122	3	32	66	223	18·74	85	1,332	43 5 3	Fawcett.
398	30	223	583	1,235	102·57	235	1,253	40 14 8	Joule.
3,409	457	2,747	3,052	9,665	41·68	337	11,460	372 3 1	Total and averages.
—	—	—	—	—	—	100	2,270	73 10 6	N. M'Loone.
3,397	466	2,756	3,123	10,075	38 49	737	13,730	446 8 7	Total and averages for all Classes.
—	13	—	25	38	3·15	77	1,205	39 3 3	Krigarriff
342	110	211	324	1,187	23·84	—	—	—	Fitzgerald (Tullycusheenmore).
422	123	521	241	1,218	3 30	1,980	40,200	1,308 10 0	Capt. Armstrong.
2	26	—	106	137	·81	802	15,323	497 16 8	Col. Gethin.
151	97	118	81	382	7·84	225	5,300	172 5 0	P. R. Hale.
—	80	93	171	324	7·34	234	4,328	140 13 2	Margison.
—	—	—	—	—	—	73	1,835	33 2 10	H. P Baker.
—	111	—	—	111	1·33	450	8,240	267 16 0	E F. Phibbs
581	426	727	549	2,283	3 08	3,566	75,026	2,438 3 8	Total and averages.
1,123	536	838	873	3,470	4 45	3,566	75,026	2,438 3 8	Total and averages for all Classes.
1,969	100	3,032	2,434	7,595	141·30	18	330	10 14 8	Clare Island
851	118	113	617	1,699	88·37	—	—	—	Leetch.
1,784	87	87	334	2,292	68 33	2	30	0 19 8	Higgins
182	73	2	64	321	11·08	1	17	0 11 0	Strong
4,786	378	3,234	3,509	11,907	84 55	21	377	12 5 0	Total and averages.

† This Column (28) includes Lookspitting, Fencing, River Drainage, and supervision of all Improvement Works, &c., &c.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED AND SOLD by the BOARD, arranged in

(1) Estates purchased

(2) Estates purchased

(3) Estates purchased

(4) Estates purchased

B.—DETAILED

COUNTY.	Class	ESTATE	Portion resold by Board on 30th September, 1906. Poor Law Valuation.	Resale Price	Annuities Payable	Total estimated Re-Sale Price, of entire Estate
			34.	35.	36.	37.
			£	£	£ s. d.	£
DONEGAL,	Four,	Carrowcannon,	42	648	25 18 4	948
	Three,	W. R. Tredennick,	328	6,700	217 15 0	7 040
	"	Charley,	523	10,343	321 2 9	11,083
	"	C J. Tredennick,	—	—	—	7,795
	"	Fawcett,	—	—	—	1,332
	"	Joule,	—	—	—	1,253
		Total and averages,	852	17,043	538 17 9	28,503
	Four,	N. M'Loone,	—	—	—	2,276
		Total and averages for all Classes,	894	17,691	564 19 1	31,427
LEITRIM,	Three,	Rigarriff,	—	—	—	1,205
SLIGO,	Three,	Fitzgerald (Tullycusheenmore),	188	4,787	155 11 4	4,787
	Four,	Capt Armstrong,	—	—	—	40,200
	"	Col Gethin,	—	—	—	15,323
	"	P. R. Hole,	—	—	—	5,300
	"	Margison,	—	—	—	4,328
	"	H P. Baker,	—	—	—	1,935
	"	E F Phibbs,	—	—	—	8,240
		Total and averages,	—	—	—	75,026
		Total and averages for all Classes,	188	4,787	155 11 4	79,813
MAYO,	One,	Clare Island,	513	9,669	383 1 7	9,999
	"	Leetch,	180	2,558	102 4 9	2,558
	"	Higgins,	178	3,467	137 4 9	3,497
	"	Strong,	191	2,809	112 7 2	2,928
		Total and averages,	1,062	18,501	734 18 3	18,978

Col. Gethin's Estate—The price paid for unlenanted land includes valuable rabbit warren, from which the average gross receipts rights and a building known

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.

under New Act (*i.e.*, Since Act of 1903) and Sold under the same Act.

FIGURES—*continued.*

Total estimated Annuities Payable for entire Estate. 3%.	ESTATE.	OBSERVATIONS
£ s. d.		
25 18 4	Carrowcannon.	Column 34 includes £5 value of Improvements.
228 16 0	W. R. Tredennick.	
345 3 9	Charley.	
253 6 10	C. J. Tredennick	
43 5 6	Fawcett	The tenanted land on this Estate comprises five bog holdings which the tenants or their predecessors reclaimed.
40 14 6	Joule.	The Poor Law Valuation of this Estate includes the Poor Law Valuation of Tory Island for which the Board paid nothing, as no revenue had been received from same for twenty-two years.
611 6 10	Total and averages.	
73 16 6	N. M'Loone	
1,011 4 8	Total and averages for all Classes.	
39 3 3	Kilsarriff.	
165 11 4	Fitzgerald (Tullycusheenmore).	The price paid for untenanted land includes extensive farm buildings and two collages.
1,306 10 0	Capt. Armstrong.	
497 16 8	Col. Gethin.	(See footnote.)
172 5 0	P. R. Hale	
140 13 2	Margison.	The price paid for untenanted land includes a large tract of turbary.
68 2 10	H. P. Baker.	
267 16 0	E. F. Phibbs	The only untenanted land on this Estate is bog, which is valuable as turbary.
2,438 3 8	Total and averages.	
2,593 15 0	Total and averages for all Classes.	
303 16 1	Clare Island	
102 4 6	Leetch	
136 4 3	Higgins	
112 13 2	Strong	
747 3 3	Total and averages.	

for five years previous to purchase by Board was £164 per annum; it also includes large extent of sea foreshore with seaweed as Knocklane Castle.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED AND SOLD by the BOARD arranged in
(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class.	ESTATE.	Date of Agreement to purchase Estate.	Date of Vesting of Estate in Board.	Date on which two-thirds in Value of Estate had been Sold by the Board	Acreage at time of Purchase.		
						Tenanted.	Untenanted.	Total.
		1.	2.	3.	4.	5.	6.	7.
						Acres.	Acres.	Acres.
MAYO—*con.*	Two,	Portroyal,	25th Feb., 1898	10th Mar., 1898,	22nd Aug., 1904	5,068	1,140	6,208
	,,	Ballymacragh,	27th May, 1898	29th July, 1898	3rd April, 1903,	—	379	379
	,,	Digby,	December, 1897,	22nd Dec., 1898,	28th April, 1903,	6,815	—	6,815
	,,	Foulkner	13th Feb., 1899,	15th Mar., 1899,	19th May, 1903.	393	186	579
	,,	Dillon,	January. 1899,	January, 1900.	November, 1905.	90,434	3,218	93,652
	,,	G. B. Browne, I.,	7th July, 1899,	28th July, 1899,	20th Dec., 1904	614	145	759
	,,	S. A. Fitzgerald, (Ballintadder)	July, 1901	October, 1901	3rd Aug., 1904	101	—	101
		Total and Averages	—	—	—	103,425	5,085	108,430
	Three,	O'Reilly-Dease,	August, 1898,	2nd Dec., 1898,	30th Mar., 1905,	2,581	—	2,581
	,,	Knockaunakill,	21st Ap., 1898, End of 1898.	15th Dec., 1898 13th Feb., 1899	24th Ap., 1904,	—	491	491
	,,	Mitchell, I.,	3rd Aug., 1899,	1st Feb., 1900,	28th Mar., 1905,	11,631	1,526	13,157
	,,	Lucan, Doon,	2nd Aug., 1899,	1st Nov., 1899,	28th Jan., 1905,	—	253	253
	,,	Buncam,	2nd Aug., 1899,	1st Nov., 1899,	20th Mar., 1905,	—	214	214
	,,	Liscromwell,	15th Dec., 1899,	19th May, 1900,	21st July, 1903,	—	199	199
	,,	Antigua,	15th Dec., 1899,	2nd May, 1900,	—	—	213	213
	,,	Aghadrinagh,						
	,,	Kilmeena,	15th Dec., 1899,	15th Mar., 1906,	—	—	355	355
	,,	Vesey-Stoney, L.	22nd April, 1899,	30th June, 1900,	—	1,148	3,893	5,041
	,,	Curran-Tyrrell,	19th Feb., 1902,	19th Feb., 1902,	—	719	—	719
	,,	Isidore Bourke,	20th Feb., 1902,	20th Feb., 1902,	31st Jan., 1905,	3,351	850	4,181
	,,	Darcy,	July, 1902,	28th July, 1903,	—	742	362	1,104
	,,	Rush,	9th Feb., 1905,	26th Mar., 1903,	31st Mar., 1905,	134	585	719
	,,	Robinson,	18th July, 1902,	9th April, 1903,	—	442	37	479
	,,	Hans-Browne,	7th May, 1903,	7th May, 1903,	—	1,276	630	1,906
	,,	Knox,	18th Aug., 1902,	28th Jan., 1903,	20th Jan., 1905,	1,089	229	1,318
	,,	O'Dowd,	23rd Jan., 1903,	28th April, 1903,	18th Jan., 1906,	252	—	252
		Total and Averages	—	—	—	23,392	9,757	33,129
	Four,	Harlech,	April, 1905,	28th July, 1906,	—	1,138	234	1,387
	,,	Tighe,	18th Feb., 1904	14th May, 1906,	—	218	17	235
	,,	Tuohy,	30th Jan., 1904,	14th May, 1906,	—	—	81	81
	,,	M'Carrick,	31st Dec., 1904,	28th July, 1906,	—	484	118	602
	,,	P. W. Raffery,	April, 1904,	9th July, 1906,	—	110	157	267
	,,	Claremount,	15th April, 1904,	22nd Oct., 1906,	—	18	293	311
	,,	St. John Blake,	25th Feb., 1904,	19th April, 1905,	—	200	467	667
	,,	J. E. Treston,	12th Oct., 1903,	8th June, 1905,	—	400	—	400
	,,	Mrs. D. M. Roche,	9th Aug., 1904,	25th Oct., 1905,	—	1,657	117	1,774
	,,	J. W. Madden,	26th April, 1905,	26th April, 1905,	—	55	423	478
	,,	Mrs. Meade,	24th Feb., 1905,	28th July, 1906,	—	2,806	71	2,877
	,,	Lord Kilmaine,	2nd Mar., 1905,	—	—	2,055	—	2,055
	,,	Lord Bingham, I.	Dec., 1903,	12th May, 1905,	—	39,092	509	39,601
	,,	Hunter,	29th Mar., 1904,	12th Dec., 1905,	—	553	303	856
	,,	James Tuaffe,	18th May, 1904,	18th May, 1904,	—	5,289	519	5,808
	,,	G. E. Browne, II.,	29th Nov., 1904,	30th July, 1906,	—	2,428	353	2,781
	,,	Lord Bingham, II.,	24th Aug., 1904,	7th July, 1905,	—	2,288	891	3,179
	,,	Mrs. Coyle,	28th Feb., 1905,	28th July, 1906,	—	427	52	479
	,,	E. C. Walshe,	27th Sept., 1904	27th Nov., 1906,	—	945	69	1,014
	,,	Mitchell, II.,	1st April, 1903,	9th Nov., 1905,	19th Dec., 1905,	—	688	688

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903).
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Poor Law Valuation of Columns 5, 6, 7.			Rental (of Tenanted Land only) at time of Purchase.				State if Estate is wholly or partially in a Congested District.	Total Price of Estate, including Sums Paid for Tenancy Interests as per Col. 17.	Net Sums paid for Tenants' Interests included in Price of Estate. Column 16.	ESTATE
Tenanted.	Untenanted.	Total.	1st Term.	2nd Term.	Other.	Total.				
8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	
£	£	£	£	£	£	£		£	£	
752	125	877	679	—	71	750	Congested,	10,985	485	Portroyal.
—	198	198	—	—	—	—	Non-Congested,	5,500	250	Ballymacragh.
157	—	157	208	—	—	208	Congested,	2,464	14	Digby.
106	18	124	—	108	—	108	Congested,	2,482	20	Faulkner.
24,052	1,201	25,253	—	—	18,682	18,682	Practically all Congested	312 427	9,257	Dillon
198	2	200	—	—	188	188	Congested,	2,929	71	G. E. Browne, I.
34	—	34	39	—	—	39	Congested,	910	—	S. A. Fitzgerald (Ballintadder).
25,299	1,544	26,843	926	108	18,941	19,975	—	337 097	10 097	Total and Averages
52	—	52	—	—	36	36	Congested,	412	54	O'Reilly-Dease.
—	321	321	—	—	—	—	Non-Congested,	9,865	—	Knockannakill
994	73	1 067	976	—	—	970	Congested,	19,597	98	Mitchell, I.
—	136	136	—	—	—	—	Congested,	2,700	—	Lucan, Doon,
—	98	98	—	—	—	—	Non-Congested,	1,975	—	Bancam.
—	91	91	—	—	—	—	Non-Congested,	1,294	—	Lascromwell.
—	170	170	—	—	—	—	Non-Congested,	4,972	462	Antigua, Aghadrinagh.
—	131	131	—	—	—	—	Non Congested.	3,148	288	Kilmeena.
227	112	339	176	—	109	285	Congested,	7,814	514	Vesey-Stoney, I.
172	—	172	118	—	56	174	Congested,	2,610	—	Curran-Tyrrell.
1,211	287	1,498	754	217	390	1,341	Congested,	29,447	—	Isidore Bourke.
275	168	443	247	41	30	318	Congested,	8,742	—	Darcy.
55	244	299	22	13	22	57	Non Congested,	7,300	—	Rush.
145	—	145	140	—	—	146	Congested,	2,263	—	Robinson.
599	92	691	533	—	90	625	Mainly Congested	11,700	—	Hans-Browne.
355	55	410	—	345	—	345	Congested,	8,020	40	Knox.
102	—	102	26	81	—	107	Congested,	1,836	18	O'Dowd.
4 187	1,978	6,165	2,973	697	733	4,408	—	117 995	1 474	Total and Averages.
238	1	239	222	6	—	228	Congested,	4,332	—	Harlech
79	—	79	59	—	7	66	Congested,	1,184	—	Tighe.
—	32	32	—	—	—	—	Non-Congested,	1,239	—	Tuohy.
118	1	119	29	83	9	115	Congested,	2,358	—	M'Carrick.
37	84	121	24	—	16	40	Non-Congested,	3,255	—	P. W. Raftery
24	258	282	—	12	—	12	Congested,	12,500	—	Claremount.
103	325	428	104	—	3	107	Non-Congested,	12,408	—	St. John Blake.
90	—	90	—	100	—	100	Congested,	2,215	—	J. E. Traston.
611	4	615	93	492	4	559	Mainly Congested	12,067	—	Mrs. D. M. Roche
23	36	59	12	—	15	27	Congested,	1,300	—	J. W. Madden.
102	7	109	2	83	—	81	Practically all Congested	2,160	—	Mrs. Meade
540	—	540	507	25	—	532	Partly Congested	9,124	—	Lord Kilmaine.
5,139	9	5,145	1,829	517	3,137	5,280	Partly Congested,	110,784	4,113	Lord Bingham, I.
253	113	366	170	45	15	230	Congested,	8,700	—	Hunter.
2,154	6	2,160	—	1,646	78	1,724	Congested,	31,990	5	James Taaffe.
1,765	8	1,773	—	1,121	—	1,121	Mainly Congested	20,828	—	G. E. Browne, II.
571	9	580	174	47	290	461	Mainly Congested			Lord Bingham, II.
71	1	72	—	84	8	92	Congested,	1,960	—	Mrs. Coyle.
89	—	89	—	—	104	104	Congested,	1,000	—	E. C. Walshe.
—	73	73	—	—	—	—	Congested,	5,190	—	Mitchell, II.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class.	ESTATE	Number of Years' Purchase of Poor Law Valuation. (Columns 8, 9, 10).			Number of Years' Purchase of Rent. (Columns 11, 12, 13, 14.)			
			Tenanted.	Untenanted.	Total.	1st Term.	2nd Term.	Other.	Total.
			18.	19.	20.	21.	22.	23.	24.
MAYO—*con.*	Two,	Portroyal,	10¾	18¾	12	11	—	9¾	11
	"	Ballymacragh,	—	29½	26½	—	—	—	—
	"	Digby,	15¾	—	15¾	11¾	—	—	11¾
	"	Faulkner,	15¾	44½	19¾	—	15½	—	15½
	"	Dillon,	12	11½	12	—	—	15½	15½
	"	G. E. Browne, I.,	12¾	50	12¾	—	—	13	13
	"	S. A. Fitzgerald (Ballintadder),	18	—	18	15¾	—	—	15¾
		Total and Averages,	12	14¼	12½	11½	15½	15½	15¼
	Three,	O Reilly-Dease,	8¾	—	6¾	—	—	10	10
	"	Knockaunakill,	—	21½	21½	—	—	—	—
	"	Mitchell, I.,	15½	10¾	15½	15½	—	—	15½
	"	Lucan, Doon,				—	—	—	—
	"	Buncam,				—	—	—	—
	"	Lascromwell,				—	—	—	—
	"	Antigua,	—	21¾	21¾	—	—	—	—
	"	Aghadrinagh,				—	—	—	—
	"	Kilmeena,				—	—	—	—
	"	Vesey-Stoney, I.,	19½	25½	21½	15½	—	15½	15½
	"	Curran-Tyrrell,	15½	—	15½	15	—	15	15
	"	Isidore Bourke,	18¾	26¾	20½	16¾	19¾	15¾	17
	"	Darcy,	20½	21½	20¾	17¾	19½	14½	17¾
	"	Rush,	20½	25¾	24½	19½	22	18½	19½
	"	Robinson,	15¾	—	15¾	15½	—		15½
	"	Hane-Browne,	19½	20¾	17	15¾	—	15¾	15¾
	"	Knox,	19½	19½	19½	—	20	—	20
	"	O'Dowd,	17¾	—	17¾	15¾	17¾	—	17
		Total and Averages,	17½	22¾	19¾	18	19¾	15½	16½
	Four,	Harlech,	15	—	15	19	19	—	19
	"	Tighe,	15½	—	15½	19	—	18	18
	"	Tuohy,	—	41¾	41¾	—	—	—	—
	"	M'Carrick,	19½	50	19¾	18	21	19	20
	"	P. W. Raffery,	21¾	31	28	19¾	—	19¾	19¾
	"	Claremount,	11	47½	44¾	—	22	—	22
	"	St. John Blake,	23½	33¾	31½	22¾	—	22¾	22¾
	"	J. E. Treston,	24¾	—	24¾	—	22	—	22
	"	Mrs. D. M. Roche,	20¾	—	20¾	20	23	20	22¾
	"	J. W. Madden,	25½	20	22	21¾	—	21½	21½
	"	Mrs. Meade,	19¾	21¾	19¾	20	22	—	22
	"	Lord Kilmaine,	16¾	—	16¾	17	20	—	17
	"	Lord Bingham, I.,	18¾	22¾	18½	18	20	18	18½
	"	Hunter,	19	34½	23½	20½	23	20	21
	"	James Taaffe,	14¾	41¾	14¾	—	18½	18	18¼
	"	G. E. Browne, II.,	15	56½	15½	—	23½	—	23½
	"	Lord Bingham, II.,	18½	33½	19¾	20	21	19	19½
	"	Mrs. Coyle,	27½	25	27½	—	21½	19	21
	"	E. C. Walshe,	11½	—	11¾	—	—	9½	9½
	"	Mitchell, II.,	—	71	71	—	—	—	—

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903).
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Expenditure on Permanent Improvements up to 30th September, 1906					Percentage of Cost of Improvements on Price of Estate Column 16.	Portion not Re-sold on 30th Sept., 1906.			ESTATE
Buildings.	Drainage.	Roads.	† Miscellaneous.	Total.		Poor Law Valuation.	Estimated Sale Price.	Estimated Annuities.	
25.	26.	27.	28.	29.	30.	31.	32.	33.	
£	£	£	£	£	£	£	£	£ s. d.	
2,539	827	1,027	2,485	6,878	62·91	31	428	18 18 2	Portroyal
2,209	79	163	939	3,094	56·25	—	—	—	Ballymacragh.
2,042	539	527	1,352	4,460	181·00	12	187	9 1 6	Digby.
808	209	384	285	1,486	59·87	3	271	8 16 2	Faulkner.
18,924	15,128	14,849	20,260	68,801	22·04	1,425	21,194	688 15 7	Dillon.
1,403	324	335	639	2,701	102·73	33	435	14 2 9	G. E. Browne, I.
—	6	—	13	19	3·11	—	—	—	S. A. Fitzgerald. (Ballintadder).
27,425	17,111	17,290	25,673	87,499	25·95	1,504	22,515	731 14 2	Total and Averages.
123	81	192	300	696	198·93	—	—	—	O'Reilly-Dease.
1,884	121	235	517	2,805	40·85	—	—	—	Knockaunakill.
2,290	179	1,256	2,779	6,504	29·35	40	934	30 7 2	Mitchell, I.
1,552	89	96	327	2,064	79·44	—	—	—	Lucan, Doon.
1,016	54	40	265	1,355	68·60	—	—	—	Buncam.
452	88	83	195	778	60·12	—	—	—	Liscromwell.
									Antigua.
1,231	14	30	458	1,733	34·85	170	4,011	130 7 2	Aghadrinagh.
—	—	—	—	—	—	131	3,200	104 0 0	Kilmeena.
110	271	443	621	1,445	18·49	328	9,125	296 11 4	Vesey-Stoney, I.
35	388	131	75	609	23·33	172	2,610	84 19 9	Curran-Tyrrell.
2,579	1,203	951	1,226	5,989	20·32	12	1,077	34 19 8	Isidore Bourke
22	185	993	793	1,993	11·42	443	10,038	326 4 8	Darcy.
720	284	258	888	1,948	26·68	23	760	24 14 0	Rush.
35	133	328	108	602	29·50	145	2,783	90 9 0	Robinson.
427	938	381	445	2,191	18·72	468	7,995	259 19 9	Hans-Browne.
397	248	524	1,082	2,251	28·09	9	198	5 9 2	Knox.
—	79	72	187	338	18·40	7	142	4 12 3	O'Dowd.
12,870	4,295	9,071	10,082	53,298	25·30*	1,948	42,843	1,392 7 8	Total and Averages.
—	88	95	2	175	4·04	289	4,922	159 19 4	Harlech.
—	11	3	—	14	1·18	79	1,272	41 6 10	Tighe.
109	40	43	4	193	14·41				Tuohy.
—	52	130	8	190	8·05	119	2,444	79 8 7	M'Carrick.
509	292	213	230	1,244	37·07	121	4,006	130 4 0	P. W. Raffery.
352	—	1	26	379	3·03	897	25,500	828 14 0	Claremount.
13	—	100	297	410	3·30	294	9,347	303 15 8	St. John Blake.
—	210	178	85	453	20·47	90	2,504	81 7 8	J. E. Treston.
22	243	984	222	1,171	9·24				Mrs. D. M. Roche.
111	33	90	45	249	19·15	59	1,700	55 5 0	J. W. Madden
10	26	45	40	121	5·90	109	2,500	81 5 0	Mrs Meade.
232	307	291	104	934	10·28	549	15,292	498 19 9	Lord Kilmaine.
3,934	2,352	2,740	3,161	12,187	11·00	5,741	140,784	4,575 9 7	Lord Bingham.
						368	7,018	228 1 8	Hunter
28	1,095	1,511	347	2,981	9·40	2,160	33,007	1,072 18 4	James Taaffe
—	901	185	77	863	3·21	1,789	27,738	901 8 4	G. E. Browne, II.
									Lord Bingham, II.
—	22	4	—	26	1·32	72	2,178	70 14 6	Mrs. Coyle.
477	19	—	377	873	87·30	88	1,900	61 15 0	E. C. Walshe.
						—	—	—	Mitchell, II.

† This Column (28) includes Lockspitting, Fencing, River Drainage, and supervision of all Improvement Works, &c., &c

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD arranged in
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(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class	ESTATE	Portion Re-sold by Board on 30th Sept., 1909. Poor Law Valuation. 34.	Re-Sale Price 35.	Annuities Payable. 36.	Total estimated Re-Sale Price of Entire Estate. 37.
			£	£	£ s. d.	£
MAYO—*con.*	Two,	Portroyal,	846	13,354	918 4 4	13,782
	,,	Ballymacragh,	198	4,870	189 13 7	4,870
	,,	Digby,	145	3,481	132 9 9	3,699
	,,	Faulkner,	121	2,977	97 10 8	2,848
	,,	Dillon,	28,828	881,653	11,847 19 0	352,847
	,,	G. E Browne, I.,	167	2,935	101 19 0	3,970
	,,	S. A. Fitzgerald (Ballintadder).	94	942	20 17 2	942
		Total and Averages.	25,339	359,512	12,909 9 4	382,027
	Three,	O'Reilly-Dease,	52	790	25 18 4	790
	,,	Knockaunakill,	321	6,070	197 9 4	6,070
	,,	Mitchell, I.,	1,027	20,997	992 1 6	21,921
	,,	Lucan, Doon,	196	2,791	90 14 2	2,791
	,,	Buncam,	99	2,092	67 19 10	2,092
	,,	Liscromwell,	91	2,086	67 19 0	2,086
	,,	Antigua,				
	,,	Ashadrumagh,	—	—	—	4,011
	,,	Kilmeena,	—	—	—	9,200
	,,	Vesey-Stoney, I.,	11	600*	—	9,725
	,,	Curran-Tyrrell,	—	—	—	2,610
	,,	Isidore Bourke,	1 486	32,925	1,090 6 2	33,702
	,,	Darcy,	—	—	—	10,039
	,,	Rush,	279	7,927	257 12 4	8,687
	,,	Robinson,	—	—	—	2,783
	,,	Haus-Browne	229	9 591	149 4 0	12,586
	,,	Knox,	401	8,795	299 18 7	8,963
	,,	O'Dowd,	95	1,908	62 0 2	2,050
		Total and Averages.	9,217	91,282	2,943 9 5	194,105
	Four,	Harlech,	—	—	—	4,922
	,,	Tighe,	—	—	—	1,272
	,,	Tuohy,				
	,,	M'Carrick,	—	—	—	2,444
	,,	P W Battery,	—	—	—	4,006
	,,	Claremount,	—	—	—	25,500
	,,	St John Blake,	184	3,992	119 19 9	13,039
	,,	J. E. Treston,	--	—	—	2,504
	,,	Mrs D M. Roche,				
	,,	J. W. Madden,	—	—	—	1,700
	,,	Mrs. Meade,	—	—	—	2,500
	,,	Lord Kilmaine,	—	—	—	15,292
	,,	Lord Bingham, I.,	—	—	—	140,784
	,,	Hunter,	—	—	—	7,018
	,,	James Taaffe,	—	—	—	33,007
	,,	G. E Browne II,	—	—	—	27,736
	,,	Lord Bingham, II.,				
	,,	Mrs. Coyle,	—	—	—	2,179
	,,	E C Walshe,	—	—	—	1,900
	,,	Mitchell, II.,	73	3 794	123 6 0	3,794

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Total estimated Annuities payable for Entire Estate. £ s. d.	ESTATE.	OBSERVATIONS.
332 2 6	Portroyal.	
188 13 7	Ballymacragh.	
138 11 9	Digby.	
109 6 8	Faulkner.	The price paid for untenanted land on this Estate includes a tract of very valuable turbary near town of Castlebar, and also value of some timber growing upon the lands
12,536 10 7	Dillon.	
115 18 8	G. E. Browne, I.	The only untenanted land on this Estate is a tract of bog the poor law valuation of which is £2; the price paid being £100 which is equal to 50 years' purchase of the P. L. V.
20 17 2	S. A. Fitzgerald (Ballintadder).	
13,040 0 9	Total and Averages	
25 13 4	O'Reilly-Dease.	
197 5 4	Knockaunakill.	
712 8 8	Mitchell, I.	Columns 25 to 30 include Mitchell II. Estate
60 14 2	Lucan, Doon	
67 19 10	Buncam.	
67 16 0	Liscromwell.	
	Antigua.	
130 7 2	Aghadrinagh.	
104 0 0	Kilmacsena	
296 11 4	Vesey-Stoney, I.	*This sum was paid in Cash, no annuity payable.
84 16 6	Curran-Tyrrell.	
1,035 5 8	Isidore Bourke.	
326 4 8	Darcy.	Columns 25 to 30 include Hunter Estate.
282 6 4	Rush	
90 9 0	Robinson	
409 0 9	Hans-Browne.	
291 6 9	Knox.	The landlord agreed to sell this untenanted land, on which the tenants had been grazing their cattle, at 20 years' purchase of the Poor Law Valuation.
66 12 5	O'Dowd	
4,398 19 11	Total and Averages.	*Re Column. 30—Mitchell II. and Hunter Estates purchase prices have been included in calculating this percentage
159 19 4	Harlech.	
41 6 10	Tighe.	
	Tuohy.	Columns 31 to 38 inclusive, are included in Bingham and G. E. Browne II. Estates. The price of untenanted land includes some turbary for which a high price was paid.
79 8 7	M'Carrick.	The only untenanted land on this Estate is a tract of bog which cost £50, the Poor Law Valuation being only £1
160 4 0	P. W. Raftery.	The untenanted land on this Estate includes a large area of bog
828 14 0	Claremount.	Columns 31 to 38 inclusive, include Mrs. D. M. Roche Estate. These figures include Convent buildings and 90 acres of land which the Nuns are purchasing as tenants. A considerable area of this land has been greatly improved since the P. L. V. was made by drainage, reclamation, and good husbandry pursued by previous owners, one of whom was a Scotchman. It also comprises the Claremorris racecourse.
423 15 5	St. John Blake.	This untenanted land was let for years for grazing purposes at £529 per annum, which is 1·63 times the Poor Law Valuation.
81 7 8	J. E. Treston.	
	Mrs. D. M. Roche.	Columns 31 to 38, inclusive, are included in Claremount Estate.
55 5 0	J. W. Madden.	
81 5 0	Mrs. Meade.	
496 19 9	Lord Kilmaine.	
4,575 9 7	Lord Bingham, I.	Columns 16 and 17, and 25 to 38, include Bingham II. Estate, and Columns 31 to 38 also include portion of Tuohy's Farm.
228 1 8	Hunter.	Columns 25 to 30 included in Darcy Estate.
1,072 18 4	James Taaffe	The untenanted land on this Estate is all bog
901 8 4	G. E. Browne, II.	Columns 31 to 38, inclusive, include portion of Tuohy's farm. The untenanted land on this Estate is all bog.
	Lord Bingham, II.	Columns 16 and 17, and 25 to 38 inclusive, are included in Bingham I.
70 14 6	Mrs. Coyle	The untenanted land on this Estate is all bog
61 16 0	E. C. Walshe	
123 6 0	Mitchell, II.	Columns 25 to 30 are included in Mitchell I. Estate. [land 3 cottages The untenanted land on this Estate includes a large tract of turbary, also some acres of valuable plantation

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
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(4) Estates purchased

B.—DETAILED

COUNTY.	Class	ESTATE	Date of Agreement to purchase Estate	Date of Vesting of Estate in Board.	Date on which two-thirds in value of Estate had been sold by the Board	Acreage at time of Purchase. Tenanted	Un-tenanted.	Total
		1	2	3	4	5	6	7
						Acres.	Acres	Acres
MAYO—*con.*,	Four—*con*	Nolan Farrall,	7th Nov., 1904	3rd May, 1906,	—	5,209	1,215	6,424
	"	C. W. Roberts,	November, 1904	22nd Feb., 1906,	—	194	192	386
	"	Colonel Smith,	26th Nov., 1904,	17th May, 1906,	—	1,201	1,147	2,348
	"	Mrs Lougheed,	28th Nov., 1904,	—	—	121	—	121
	"	Foley,	6th Nov., 1904,	20th July, 1906,	—	2,155	—	2,155
	"	Corcoran,	20th Jan., 1905,	28th July, 1906,	—	365	163	528
	"	D. J. Burke (part),	13th July, 1904,	13th July, 1904,	—	727	—	727
		O'Donel (Kilbride)	10th Feb., 1906	—	—	—	126	126
	"	Bellingham,	21st Feb., 1905,	—	—	1,648	10,154	11,802
	"	Kirkwood,	12th April, 1905,	—	—	1,248	49	1,297
	"	Vesey Stoney, II.,	1st May, 1905,	—	—	32	159	191
	"	John Curran,	6th May, 1905,	16th Oct., 1906,	—	3	150	153
	"	A. Jones, I.,	29th May, 1905	—	—	2,611	584	3,195
	"	Rashleigh,	21st March, 1905	—	—	1,894	131	2,025
	"	James Brannick,	29th Mar., 1905,	—	15th June, 1906,	—	181	181
	"	Bunnacurry,	9th Sept., 1905,	—	—	324	699	1,023
	"	Jackson,	20th May, 1905,	—	—	167	235	402
	"	M'Causland,	20th April, 1903,	17th May, 1906,	—	368	431	799
	"	Ross Ford,	13th May, 1905	—	—	9,901	3,837	13,738
	"	John Ryan,	12th April, 1905,	—	—	—	201	201
	"	D. R. Fair,	6th Dec., 1905,	6th Dec., 1905,	—	217	255	472
	"	Mrs. Gibbon,	7th Feb., 1906,	—	—	3,507	—	3,507
	"	A. Jones, II.,	22nd Feb., 1906,	—	—	—	2,676	2,676
	"	John Carey,	26th Mar., 1906,	28th Mar., 1906,	—	1,023	779	1,807
	"	E. S. Dale,	26th April, 1906,	—	—	74	248	322
	"	Wm Irwin and another,	30th April, 1906,	30th April, 1906,	—	1,173	—	1,173
	"	R. C. Lynch,	29th July, 1906,	—	—	9,371	—	9,371
		Total and Averages,	—	—	—	103,676	28,994	132,670
		Total and Averages for all Classes.	—	—	—	235,006	44,606	279,612
ROSCOMMON,	Three,	Waldron,	January, 1901,	17th July, 1901,	29th Nov., 1904,	763	684	1,437
	Four,	Mrs Glancy,	14th July, 1905,	23rd July, 1906,	—	—	534	534
	"	R. O. Longfield,	3rd Aug., 1905,	—	—	1,429	2,299	3,728
	"	W. J. M Dermott,	16th Sept., 1904,	—	—	3	319	322
	"	De Freyne,	31st March, 1905,	12th July, 1906,	—	29,260	6,990	36,250
	"	R. Flynn,	24th June, 1905,	—	—	—	190	190
	"	Major French,	11th March, 1905	9th July, 1906,	—	313	760	1,073
	"	Mrs. Crichton,	30th March, 1905	16th Oct., 1906,	—	1,092	—	1,092
	"	P. M. Leonard,	6th June, 1904	6th June, 1904,	—	519	652	1,171
	"	J. O. Murphy,	26th July, 1905,	16th July, 1906,	—	3,746	1,670	5,416
	"	P. C. Morris,	10th Feb., 1906,	—	—	—	364	364
	"	Willegrove Farm,	18th Dec., 1905,	—	—	—	282	282
	"	Captain C. French,	11th April, 1906,	—	—	—	818	818
	"	Michael Kelly,	3rd July, 1906,	—	—	—	172	172
	"	Agnes J. Kelly,	3rd July, 1906,	—	—	97	160	257
	"	FitzGibbon's Farm,	11th May, 1906,	—	—	—	49	49
	"	Dr Ellison,	31st Aug., 1906,	—	—	286	—	286
		Total and Averages,	—	—	—	36,745	15,259	52,004
		Total and averages for all Classes.	—	—	—	37,498	15,943	53,441

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Four Classes, viz. :—
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903).
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Poor Law Valuation of Columns 5, & 7			Rental (of Tenanted Land only) at time of Purchase				State of Estate is wholly or partially in a Congested District.	Total Price of Estate, including sums paid for Tenancy Interests as per Column 17.	Net Sums paid for Tenants' Interests included in Price of Estate, Column 16.	ESTATE.
Tenanted.	Un-tenanted.	Total.	1st Term.	2nd Term.	Other.	Total.				
8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	
£	£	£	£	£	£	£		£	£	
2,119	215	2,334	522	977	389	2,188	Partly Congested	53,620	120	Nolan Ferrall.
68	2	70	—	87	—	87	Congested,	1,961	—	O. W. Roberts.
19	48	67	—	—	21	21	Congested,	1,800	—	Colonel Smith.
28	—	28	36	—	—	36	Non-Congested	650	—	Mrs Loughead.
60	—	60	53	—	—	53	Congested,	950	—	Foley.
35	1	36	21	—	15	36	Congested,	643	—	Corcoran.
211	—	211	—	172	—	172	Congested,	3,172	—	D. J. Burke (part)
—	67	67	—	—	—	—	Non-Congested,	1,800	—	O'Donel (Kilbride).
143	179	322	25	13	113	151	Congested,	8,060	60	Bellingham.
334	26	360	12	291	10	313	Congested,	7,097	—	Kirkwood.
16	94	110	—	—	18	18	Congested,	3,775	—	Vesey Stoney, II,
1	87	88	—	—	1	1	Congested,	3,000	—	John Curran
414	43	457	20	201	126	347	Congested,	8,700	—	A. Jones, I.
518	3	521	81	296	91	468	Congested,	8,581	—	Rashleigh
—	99	99	—	—	—	—	Non-Congested	4,265	665	James Brannick.
60	2	62	—	—	54	54	Congested,	952	—	Bunnacurry.
55	61	116	33	—	25	58	Congested,	2,991	—	Jackson.
136	27	165	163	—	89	252	Congested,	4,815	—	M'Causland.
223	46	269	222	—	—	222	Congested,	4,926	—	Ross Ford.
—	100	100	—	—	—	—	Non-Congested,	2,821	371	John Ryan.
101	87	188	43	58	—	101	Congested,	4,000	—	D. R. Fair
361	—	361	29	264	30	323	Congested,	6,500	—	Mrs. Gibbon.
—	33	33	—	—	—	—	Congested,	1,800	—	A. Jones, II.
94	36	130	75	34	49	158	Congested,	4,630	—	John Carey.
27	129	156	14	13	5	32	Congested,	4,500	—	E. S. Dale.
40	—	40	2	8	6	16	Congested.	690	—	Wm. Irwin & anor.
437	—	437	283	21	188	492	Congested.	9,354	—	R. C. Lynch.
17,559	2,352	19,911	4,923	6,702	4,883	16,508	—	406,952	5,332	Total and averages.
47,908	6,094	54,002	8,970	7,507	25,221	41,698	—	875,826	17,631	Total and Averages for all Classes
394	398	792	319	—	—	319	Congested.	15,066	1,055	Waldron.
—	493	493	—	—	—	—	Non-Congested	11,500	—	Mrs Glancy.
583	1,138	1,721	243	156	94	493	Partly Congested	40,100	—	R. O. Longfield.
3	323	326	—	—	2	2	Non Congested.	8,250	—	W. J M'Dermott.
13,446	420	13,866	9,878	1,200	—	11,078	Mainly Congested	229,777	2,992	De Freyne.
—	123	123	—	—	—	—	Non-Congested	3,100	—	R. Flynn.
265	736	1,001	102	13	110	225	Non-Congested.	22,913	—	Major French.
334	—	334	128	63	96	287	Congested.	6,284	—	Mrs. Crichton.
181	249	430	144	—	40	184	Partly Congested.	11,370	—	P. M. Leonard.
1,683	176	1,859	753	212	462	1,427	Partly Congested	35,362	—	J. C Murphy.
—	336	336	—	—	—	—	Non-Congested.	6,500	—	P. C. Morris.
—	190	190	—	—	—	—	Non-Congested.	5,847	—	Willsgrove.
—	802	802	—	—	—	—	Non-Congested.	18,400	—	Captain C. French.
—	197	197	—	—	—	—	Non-Congested.	4,600	—	Michael Kelly.
42	1	43	—	—	32	32	Non-Congested.	900	—	Agnes J Kelly
—	32	32	—	—	—	—	Non-Congested.	1,222	12	FitzGibbon's Farm.
50	—	50	4	33	6	43	Congested	960	—	Dr. Ellison.
16,537	5,216	21,803	11,252	1,677	842	13,771	—	407,090	3,004	Total and Averages.
16,931	5,614	22,535	11,571	1,677	842	14,090	—	422,156	4,059	Total and Averages for all Classes

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class	ESTATE.	Number of Years' Purchase of Poor Law Valuation. Columns 8 9 10.			Number of Years' Purchase of Rent. Columns 11, 12, 13, 14			
			Tenanted.	Un-tenanted.	Total.	1st Term.	2nd Term	Other.	Total.
			18.	19	20	21.	22.	23	24.
MAYO—*con.*,	Four—*con.*,	Nolan Ferrall,	22½	26¼	23	20¾	23¼	20¾	22
	,,	C. W. Roberts,	28¼	—	28	—	22½	—	22½
	,,	Colonel Smith,	17⅞	30½	26¾	—	—	16	16
	,,	Mrs. Lougheed,	23¼	—	23¼	18	—	—	18
	,,	Foley,	15¾	—	15¾	18	—		18
	,,	Corcoran,	17⅞	20	17⅞	17¼	—	17¼	17¼
	,,	D. J. Burke (part),	15	—	15	—	18½	—	18½
	,,	O Donel (Kilbride),	—	26¾	26¾	—	—	—	—
	,,	Bellingham,	18	30½	24¼	18	19	16¾	17
	,,	Kirkwood,	19¼	24¼	19¾	20¼	20¾	19	20¾
	,,	Vesey Stoney, II.	17⅞	37¼	34½	—	—	15½	15½
	,,	John Curran,	20	34¼	34	—	—	20	20
	,,	A. Jones, I	18	28¾	19	21	22½	20	21½
	,,	Rashleigh,	16½	20	16½	17	19	16¾	18¼
	,,	James Brannock,	—	36½	36½	—	—	—	—
	,,	Bunnacurry,	15¼	20	15½	—	—	17	17
	,,	Jackson,	19¾	31½	25¾	20	—	17½	19
	,,	M'Causland	29¼	29	29¼	15	—	18	16
	,,	Ross Ford	17	24½	18½	17	—	—	17
	,,	John Ryan	—	24½	24½	—	—	—	—
	,,	D. R. Fair,	22¼	20	21¼	21	23¼	—	22¼
	,,	Mrs. Gibbon,	18	—	18	17¼	20¾	18	20
	,,	A. Jones, II.	—	48½	48½	—	—	—	—
	,,	John Carey,	31¼	47	35¾	18	23¾	16¾	18⅝
	,,	E S Dale,	23¼	30	23¾	19	21	18	19⅝
	,,	Wm. Irwin and another,	17¼	—	17¼	19	21¼	18	19¾
	,,	R. C Lynch,	21½	—	21½	19	19	18	19
		Total and Averages,	18½	34	20¼	18⅝	21	18½	19½
		Total and Averages for all Classes.	14¾	25	18	17	21	16	17
ROSCOMMON,	Three,	Waldron,	12¾	31½	22¼	15¾	—	—	15¾
	Four,	Mrs. Glancy,	—	23½	23½	—	—	—	—
	,,	R. O. Longfield,	17½	26½	23½	20	23	18	20½
	,,	W. J. M'Dermott,	13½	25½	25½	—	—	20	20
	,,	De Freyne,	17	23¾	17½	20¼	23	—	20½
	,,	R. Flynn,	—	25¼	25¼	—	—	—	—
	,,	Major French,	16⅝	25¼	23	20	22	19	19⅝
	,,	Mrs. Crichton,	18¾	—	18¾	21½	24	21	21¾
	,,	P. M. Leonard,	18¼	31⅝	26¼	19	—	18½	19
	,,	J. C Murphy,	17¾	30	19	21	23	20½	21
	,,	P. C Morriss,	—	19½	19½	—	—	—	—
	,,	Willsgrove Farm,	—	30¾	30¾	—	—	—	—
	,,	Captain C. French,	—	23	23	—	—	—	—
	,,	Michael Kelly,	—	23½	23½	—	—	—	—
	,,	Agnes J Kelly,	15¼	260	21	—	—	20	20
	,,	FitzGibbon's Farm,	—	37¾	37¾	—	—	—	—
	,,	Dr Ellison,	19¼	—	19¼	21	23	20	22¼
		Total and Averages,	17	25¼	19	20¼	23	19¾	20¾
		Total and Averages for all Classes	17	25¾	19¼	20¼	23	19¾	20½

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Expenditure on Permanent Improvements up to 30th September, 1906					Percentage of Cost of Improvements on Price of Estate Column 16.	Portion not Re-sold on 30th Sept., 1906.			ESTATE
Buildings	Drainage	Roads.	† Miscellaneous	Total.		Poor Law Valuation	Estimated Resale Price.	Estimated Annuities.	
25.	26.	27.	28.	29.	30.	31.	32.	33.	
£	£	£	£	£	£	£	£	£ s d	
14	1,025	1,098	307	2,444	4·55	2 334	55,357	1799 2 0	Nolan Ferrall.
—	162	2	9	173	8·82	70	2,076	67 6 10	C. W. Roberts.
116	15	162	69	362	20·11	67	2,260	73 9 0	Colonel Smith
—	—	—	—	—	—	23	755	24 10 10	Mrs. Lougheed.
—	11	91	7	109	11·47	60	1,400	45 10 0	Foley
—	—	—	—	—	—	36	867	28 3 8	Corcoran
329	215	72	160	776	18·16	211	3,332	108 5 9	D. J. Burke (part).
—	—	—	22	22	1·22	67	2,294	74 11 2	O'Donel (Kilbride).
151	135	161	62	509	6·31	322	10,140	329 11 0	Bellingham
—	61	12	—	73	1·02	360	7,562	246 15 4	Kirkwood.
—	—	—	—	—	—	110	4,256	138 6 4	Vesey Stoney, II.
—	—	—	22	22	73	83	4,030	130 19 6	John Curran.
	—	34	72	106	1·21	457	9,854	320 5 2	A Jones, I.
2	76	—	33	110	1·28	521	10,038	326 4 8	Rashleigh
177	77	—	46	300	7·03	99	4,000	130 0 0	James Brannick.
—	—	—	—	—	—	62	952	30 18 10	Bunnacurry.
44	88	47	1	180	6·01	116	3,300	10 5 0	Jackson.
3	77	155	441	676	14·04	165	5,522	179 9 3	M'Causland.
—	30	149	60	239	4·85	260	6,100	198 5 0	Ross Ford.
314	30	108	132	584	20·70	100	2,740	89 1 6	John Ryan
—	—	—	113	113	2·82	188	4,738	153 19 6	D. R Fair
—	5	11	—	16	24	261	6,876	223 9 4	Mrs. Gibbon.
—	—	—	—	—	—	33	1,200	39 0 0	A. Jones, II.
4	25	47	35	111	2·40	130	5,430	176 9 6	John Carey.
—	—	—	—	—	—	156	4,930	160 4 2	E. S. Dale.
—	—	—	—	—	—	40	840	27 6 0	Wm Irwin & anor.
—	62	302	—	364	3·89	437	12,999	422 9 4	R. O. Lynch.
6,946	7,484	8,724	6,596	29,752	7·54*	19,704	455,955	14,618 13 7	Total and Averages.
52,029	29,268	35,319	45,840	162,456	18·52†	23,177	521,690	16,955 0 3	Total and Averages for all Classes
1,583	92	833	893	3,401	22·57	37	1,156	37 11 4	Waldron
171	—	—	21	192	1·67	493	13,756	447 1 4	Mrs. Glancy.
104	168	158	32	462	1·15	1,721	40,554	1,318 0 2	R. O. Longfield.
2	6	—	94	102	1·23	326	7,187	233 11 6	W. J. M'Dermott
141	9,605	3,307	955	14,008	6·09	13,856	247,332	6,038 5 10	De Freyne
17	—	91	26	134	4·32	123	3,440	111 16 0	R. Flynn.
46	6	40	98	190		1,001	19,850	645 9 0	Major French
—	63	70	8	141	2·24	331	7,290	236 18 6	Mrs. Creighton.
205	94	180	40	519	4·55	460	11,759	382 3 4	P. M. Leonard.
—	3,598	97	155	3,850	10·88	1,859	35,918	1,167 6 6	J. C. Murphy
38	—	131	12	181	2·78	336	7,408	240 15 2	P. C. Morriss.
3	—	—	29	32	54	190	5,847	190 0 6	Willsgrove
—	20	15	40	75	40	802	18,400	598 0 0	Captain C. French.
—	—	—	—	—	—	127	4,600	149 10 0	Michael Kelly.
—	—	—	—	—	—	43	900	29 5 0	Agnes J. Kelly
—	—	—	—	—	—	32	1,222	39 14 3	FitzGibbons' Farm
—	—	—	—	—	—	50	900	61 4 0	Dr Ellison.
727	13,560	4,089	1,510	19,886	4·88	21,803	426,433	13,859 1 5	Total and Averages.
2,310	13,652	4,922	2,403	23,287	5·51	21,840	427,589	13,896 12 6	Total and Averages for all Classes.

† This Column (28) includes Locksplitting, Fencing, River Drainage, and supervision of all Improvement Works, &c., &c.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED an SOLD by the BOARD, arranged in
(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class.	ESTATE.	Portion Re-sold by Board on 30th Sept., 1906			Total estimated Re-sale Price of Entire Estate
			Poor Law Valuation.	Re-sale Price	Annuities payable	
			34	35	36	37
			£	£	£ s d	£
MAYO—*continued*,	Four *continued*,	Nolan Ferrall,	—	—	—	55 357
		C. W. Roberts,	—	—	—	2,075
	"	Colonel Smith,	—	—	—	2,260
		Mrs. Lougheed,	—	—	—	755
		Foley,	—	—	—	1 400
		Corcoran,	—	—	—	867
		D. J. Burke (part),	—	—	—	3 332
		O'Donel (Kilbride),	—	—	—	2,294
		Bellingham,	—	—	—	10,140
		Kirkwood,	—	—	—	7,562
		Vesey Stoney, II.	—	—	—	4 256
		John Curran,	—	—	—	4,030
		A. Jones, I.,	—	—	—	8 854
		Rashleigh,	—	—	—	10,038
		James Brannick,	—	—	—	4 000
		Bunnacurry,	—	—	—	952
		Jackson,	—	—	—	3,300
		M'Causland,	—	—	—	5,522
		Ross Ford,	—	—	—	8 100
		John Ryan,	—	—	—	2,740
		D. R. Fair,	—	—	—	4,738
		Mrs. Gibbon,	—	—	—	6 376
		A. Jones, II.,	—	—	—	1 200
		John Carey,	—	—	—	5,430
		E. S. Dale,	—	—	—	4,930
		Wm. Irwin and another,	—	—	—	840
		R. C. Lynch,	—	—	—	12,999
		Total and Averages,	207	7,486	243 5 9	463,441
		Total and Averages for all Classes,	30,825	476,761	16,832 19 9	998 451
ROSCOMMON,	Three,	Waldron,	755	14,568	473 9 2	15,724
	Four,	Mrs. Glancy,	—	—	—	13,756
	"	R. C. Longfield	—	—	—	40,554
		W. J. M'Dermott,	—	—	—	7,187
	"	De Freyne,	—	—	—	247 332
	"	R. Flynn,	—	—	—	3,440
		Major French,	—	—	—	19 860
		Mrs. Crichton,	—	—	—	7,290
		P. M. Leonard,	—	—	—	11,759
		J. C. Murphy,	—	—	—	35,918
	"	P. C. Morriss,	—	—	—	7,408
	"	Willsgrove Farm,	—	—	—	5,847
		Captain C. French,	—	—	—	18 400
		Michael Kelly,	—	—	—	4,600
	"	Agnes J. Kelly,	—	—	—	900
		FitzGibbons' Farm,	—	—	—	1,222
		Dr. Ellison,	—	—	—	960
		Total and Averages,	—	—	—	426,453
		Total and Averages for all Classes,	755	14 568	473 9 2	442 157

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under Old Acts (*i. e.*, Prior to Act of 1903), and Sold under Old Acts.
under Old Acts (*i. e.*, Prior to Act of 1903) and Sold partly under Old Acts and partly under New Act (*i. e.*, Act of 1903).
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued*

Total estimated Annuities payable for Entire Estate 38	ESTATE.	OBSERVATIONS.
£ s. d.		
1,799 2 0	Nolan Ferrall	The untenanted land on this Estate includes a tract of turbary and plantations.
67 8 10	O. W. Roberts	
73 9 0	Colonel Smith	The untenanted land on this Estate includes a large area of mountain and turbary, and a shooting lodge with other buildings.
24 10 10	Mrs. Lougheed	
45 10 0	Foley	
28 3 8	Corcoran.	
108 5 9	D. J. Burke (part).	Columns 25 to 30 include Co. Galway portion of Estate.
74 11 2	O Donel (Kilbride)	
329 11 0	Bellingham	The untenanted land on this Estate includes a large area of turbary, a shooting lodge and other buildings, and also a Fishery. The rent of the lodge with fishing and sporting rights, payable by the late tenant under a five years' lease, was £150 per annum.
245 15 4	Kirkwood.	
138 6 4	Vesey Stoney, II	
130 13 6	John Curran	
320 5 2	A. Jones, I.	
326 4 8	Rashleigh.	
130 0 0	James Brannick	The untenanted land on this Estate includes a tract of turbary, and also a considerable area of unreclaimed land.
30 18 10	Bunnacurry	
107 5 0	Jackson	The area of untenanted land on this Estate includes a tract of turbary.
179 9 3	M'Causland.	
198 5 0	Ross Ford.	
80 1 0	John Ryan	
153 19 8	D. R. Fair	
223 9 4	Mrs. Gibbon.	
39 0 0	A. Jones, II	The untenanted land on this Estate comprises a large area of mountain and some reclaimed land.
176 9 6	John Carey	The untenanted land on this Estate comprises a large area of turbary and mountain.
160 4 2	E. S. Dale.	The untenanted land on this Estate comprises some turbary and a valuable house.
27 6 0	Wm. Irwin & anor.	
422 9 4	R. C. Lynch	
15,061 19 4	Total and Averages.	* *Re* Column 30.—In calculating this percentage the purchase prices of Mitchell II. and Hunter Estates (which are included in Class 3) are omitted, and D. J. Burke, Galway Section, is included.
33,738 0 0	Total and Averages for all Classes.	† *Re* Column 30.—In calculating this percentage the purchase price of D. J. Burke, Galway portion, is included.
511 0 6	Waldron	The untenanted land on this Estate comprises a large area of very good turbary of considerable value.
447 1 4	Mrs. Glancy.	
1,318 0 2	R. O. Longfield.	
233 11 6	W. J. M'Dermott	
8,038 5 10	De Freyne.	
111 16 0	R. Flynn.	
345 9 0	Major French	
236 18 6	Mrs. Crichton.	
382 3 4	P. M. Leonard.	The area of untenanted land on this Estate comprises plantations with some valuable timber.
1,167 8 6	J. C. Murphy.	The untenanted land on this Estate comprises a large area of turbary.
240 15 2	P. C. Morriss.	
190 0 8	Willsgrove	
598 0 0	Captain C. French.	
149 10 0	Michael Kelly.	
29 5 0	Agnes J. Kelly.	The untenanted land on this Estate comprises valuable turbary which was purchased at the rate of £1 per acre.
39 14 3	FitzGibbon's Farm.	
31 4 0	Dr. Ellison.	
13,859 1 5	Total and Averages	
14,370 1 11	Total and Averages for all Classes.	

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY	Class	ESTATE.	Date of Agreement to purchase Estate.	Date of Vesting of Estate in Board.	Date on which two thirds in value of Estate had been sold by the Board.	Acreage at time of Purchase: Tenanted	Acreage at time of Purchase: Untenanted	Acreage at time of Purchase: Total
		1.	2	3.	4.	5	6	7
						Acres	Acres	Acres.
GALWAY,	One,	Firench,	March, 1893,	31st Mar., 1893	16th Mar, 1894	860	559	1 419
	"	Leonard,	August, 1896,	14th Aug, 1896,	24th Mar, 1902	506	831	1 337
		Rockfield	April, 1898,	18th April, 1898,	30th May 1902	—	414	414
		Total and Averages	—	—	—	1 366	1,804	3,170
	Two,	J A Browne	January, 1900,	26th Jan, 1900,	30th May, 1902	260	183	443
	"	Thomson,	April, 1897,	2nd April, 1897,	25th June 1904	428	904	1,332
		Total and Averages	—		—	688	1,087	1,775
	Three,	Nettetville (Newbridge)	April, 1898	25th April, 1898	18th May, 1905	—	168	168
	"	" Ballinacorra	August, 1899,	August, 1899,	22nd April, 1905	110	—	110
	"	Killeooney,	January, 1902,	January, 1902,	—	—	529	529
	"	S. J. M'Donagh,	February, 1902	9th July, 1902,	—	105	—	105
	"	Comyn,	July, 1902,	31st July, 1902,	—	—	639	639
	"	Fitzpatrick,	31st July, 1902,	31st July, 1902,	16th Mar, 1905	1 338	257	1,595
	"	Birks Neville,	29th July 1903,	29th July, 1903	22nd Jan 1906	1,255	1,004	2 259
	"	Gallagh Farm,	11th Sept, 1903	5th Nov, 1903,	3rd Oct., 1905	—	331	331
		Total and Averages	—	—	—	2,838	2 928	5,766
	Four,	C J Blake,	8th May, 1904,	19th June, 1906	—	658	928	1,586
	"	Kirwan, I,	14 h Feb, 1905,	26th July, 1906,	—	1,141	350	1,491
	"	Bolfs,	26th April, 190 ,	26th April, 1905	-	—	375	375
	"	R T King	24th Aug 1904,	26th July, 1906,	—	1,173	250	1 423
	"	D J Burke (pt),	13th July, 1904	13th July 1904	—	—	185	185
	"	T Hazell,	20th April, 1905,	—	—	514	—	514
	"	Kelly (Clooncon),	20th Feb., 190 ,	—	—	165	176	341
	"	O Kelly (Cooloo),	16th Mar, 1904	16th Mar., 1904	19th July, 1905,	342	1 124	1,466
	"	Mrs Fallon,	11th May 1904,	21st Mar, 1905,	—	940	1,105	2,045
	"	Woodbrook,	15th April, 1905,	28th June, 1906	—	—	187	187
	"	Dames Longworth,	23rd Nov, 1903	19th April, 1905	—	—	1,316	1,316
	"	Dr, Kenny,	11th Aug, 1904	—	—	108	1,115	1 223
	"	Hon R A. Nugent	17th Aug 1904	18th May, 1905	—	70	340	410
	"	B. D. O'Kelly	20th Feb, 1904	5th April, 1906	—	2	488	490
	"	Ballyhard,	20th July, 1904	17th Oct., 1906	—	703	212	915
	"	Newcastle Wade	7th May, 1904	3rd June, 1904	—	—	139	139
	"	Brownville	13th Oct, 1904,	30th July, 1900	—	—	152	152
	"	C. Allies,	11th Sept., 1905	—	—	3 172	—	3,172
	"	Dr Boyd,	2nd Sept., 1905,	—	—	95	184	279
	"	Rusheenamanagh,	29th July, 1904,	27th Nov, 1906	—	435	454	889
	"	P J Blake,	July, 1905,	—	—	886	—	886
	"	Lieut. Thomson,	15th June, 1904	—	—	141	134	275
	"	Rev J. Keaveney,	7th June, 1906,	—		377	247	624
	"	Thomas Tighe,	1st Sept, 1906	—	—	593	—	593
	"	Kirwan, II.,	21st Mar 190	—	—	728	330	1 058
		Total and Averages,	—	—	—	12,243	9 791	22,034
		Total and Averages for all Classes	—	—	—	17 135	15 610	32 745

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903)
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Poor Law Valuation of Columns 5 6 7			Rental (of Tenanted Land only) at time of Purchase				State if Estate is wholly or partially in a Congested District	Total Price of Estate including sums paid for Tenancy Interests as per Column 17	Net Sums paid for Tenants Interests included in Price of Estate, Column 16	ESTATE
Tenanted	Untenanted	Total	1st Term.	2nd Term.	Other.	Total				
8	9	10	11	12	13	14	15	16	17	
£	£	£	£	£	£	£		£	£	
350	219	569	400	—	—	400	Congested,	8 215	18	Ffrench
288	48	336	244	—	—	244	Congested,	5,735	190	Leonard.
—	80	80	—	—	—	—	Congested,	1,372	—	Rockfield
638	347	985	644	—	—	644	—	15 332	208	Total and Averages.
56	44	100	62	—	7	69	Partly Congested	1 885	55	J. A. Browne.
39	91	130	—	—	98	98	Congested.	2,194	80	Thomson.
95	135	230	62	—	105	167	—	4 079	135	Total and Averages.
—	138	138	—	—	—	—	Non-Congested,	2,584	215	Netterville (Newbridge).
48	—	48	42	—	—	42	Congested.			Ballinncorra
—	389	389	—	—	—	—	Non Congested,	10 099	442	Kilclooney
51	—	51	49	—	—	49	Non-Congested,	786	—	S J. M'Donagh.
—	152	152	—	—	—	—	Non-Congested,	3 504	—	Comyn
185	91	276	66	—	135	201	Congested.	5,729	—	Fitzpatrick
142	70	212	98	—	54	152	Congested,	4,504	4	Birks Neville.
—	149	149	—	—	—	—	Non-Congested,	5 118	—	Gallagh Farm.
426	989	1,415	255	—	189	444	—	32 324	661	Total and Averages
255	585	840	119	26	107	252	Mainly Non-Congested	21 500	—	C. J. Blake
481	86	567	141	158	157	456	Congested,	11 600	—	Kirwan, I
—	158	158	—	—	—	—	Congested,	5 050	—	Balfe
59	4	63	—	—	86	86	Congested,	1,939	92	R. T. King.
—	71	71	—	—	—	—	Non Congested,	1,100	—	D. J. Burke (pt.)
77	—	77	90	—	—	90	Congested,	1,583	13	T. Hazell.
44	28	72	30	21	—	51	Congested,	2 164	—	Kelly (Clooncon)
111	358	469	85	—	26	111	Non Congested,	13,000	—	O'Kelly (Coolo)
373	250	623	186	—	158	344	Mainly Non-Congested	20,689	10	Mrs Fallon
—	162	162	—	—	—	—	Non-Congested,			Woodbrook.
—	903	903	—	—	—	—	Non-Congested,	24 782	—	Dames-Longworth
103	550	653	28	—	94	122	Mainly Non-Congested	22 945	—	Dr Kenny
38	203	241	—	—	47	47	Non-Congested,	7,181	—	Hon R A Nugent.
—	69	69	—	—	—	—	Congested,	2,590	—	B D O'Kelly.
241	2	243	—	112	—	112	Congested,	3,029	450	Ballyhard.
—	91	91	—	—	—	—	Non-Congested,	2,362	—	Newcastle Wa.r.
—	68	68	—	—	—	—	Non-Congested,	1,889	354	Brownville
556	—	556	—	—	468	468	Congested,	7,900	—	O Allies.
33	49	82	11	14	5	30	Congested,	2 460	—	Dr Boyd.
92	7	99	—	—	198	198	Congested,	3 223	577	Rusheenamanagh.
139	—	139	101	—	97	198	Congested,	3,563	—	P. J. Blake
33	54	87	—	41	—	41	Congested,	3,111	—	Lieut. Thomson.
118	58	176	71	54	3	128	Congested,	5 300	—	Rev. J. Keaveney
225	—	225	11	—	181	192	Partly Congested.	4 600	—	Thomas Tighe.
181	51	232	236	—	—	236	Congested,	6 886	—	Kirwan, II.
3 159	3,807	6,966	1,109	426	1,627	3 162	—	179,856	1,496	Total and Averages.
4 318	5,278	9 596	2,070	426	1,921	4,417	—	232,081	2 500	Total and Averages for all Classes

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class.	ESTATE	Number of Years Purchase of Poor Law Valuation, Columns 8, 9, 10.			Number of Years' Purchase of Rent, Columns 11, 12, 13 14			
			Tenanted.	Untenanted.	Total.	1st Term.	2nd Term.	Other.	Total.
			18.	19.	20	21	22.	23	24
GALWAY	One,	Ffrench,	13	15¾	14	11½	—	—	11¾
	"	Leonard,	12¾	38¾	16½	15	—	—	15
	"	Rockfield,	—	23¼	23¼	—	—	—	—
		Total and Averages	13	20¾	15¾	12¾	—	—	12⅝
	Two,	J. A. Browne	19¼	17	18¼	15⅞	—	15½	15⅝
	"	Thomson,	31¾	9¾	16¾	—	—	12½	12½
		Total and Averages	24¼	12	17¼	15¾	—	12¾	13⅝
	Three,	Netterville (Newbridge),	—	15	15	—	—	—	—
	"	" Ballinacorra,	13¼	—	13¼	15	—	—	15
	"	Kilcooney,	—	24½	24½	—	—	—	—
	"	S. J. M Donagh,	16¼	—	16¼	17	—	—	17
	"	Comyn,	—	21¾	21¾	—	—	—	—
	"	Fitzpatrick,	19¼	23½	20¾	18	—	17½	17¾
	"	Birks Neville,	17¼	29½	21¼	16	—	16	16
	"	Gallagh Farm,	—	35½	35½	—	—	—	—
		Total and Averages,	17½	24¾	22½	16½	—	17¼	16⅞
	Four,	C. J. Blake,	23	26¾	25¾	23	24½	23	23
	"	Kirwan, I.,	18¾	30¼	20½	19	21½	18¾	19¾
	"	Balfe,	—	34¼	34¼	—	—	—	—
	"	R. T. King,	21¾	139¼	26¼	—	—	15	15
	"	D. J. Burke (pt.)	—	15½	15½	—	—	—	—
	"	T. Hazell,	20¼	—	20¼	17½	—	—	17½
	"	Kelly (Clooncon)	24¾	39	30	20	22½	—	21
	"	O'Kelly (Cooloo)	16¼	31½	27¾	16	—	16½	16
	"	Mrs. Fallon,	16½	39	26¾	21	—	19	20
	"	Woodbrook,	—	24¾	24¾	—	—	—	—
	"	Dames Longworth,	—	27½	27½	—	—	—	—
	"	Dr Kenny,	25¾	37	35¼	21¾	—	21¾	21¾
	"	Hon R. A. Nugent,	24¾	10¾	19¾	—	—	20	20
	"	B. D. O'Kelly,	—	37¾	37¾	—	—	—	—
	"	Ballyhard,	10½	20	10¾	—	22¾	—	22¾
	"	Newcastle Wade,	—	26	26	—	—	—	—
	"	Brownville,	—	28¼	28¼	—	—	—	—
	"	C. Allies,	14¼	—	14¼	—	—	17	17
	"	Dr Boyd,	19	37¼	30	19	23	19	21
	"	Rusheenamanagh,	28¾	—	26¼	—	—	13½	13½
	"	P. J. Blake,	25¾	—	25¾	16½	—	18½	18¾
	"	Lieut. Thomson,	26¼	41½	35¼	—	21¼	—	21¼
	"	Rev. J. Keaveney,	23	44½	30	20	23	19	21¼
	"	Thomas Tighe,	17¾	—	17¾	20¾	—	20¾	20¾
	"	Kirwan, II.,	23¼	51½	29¾	18	—	—	18
		Total and Averages,	19	31¼	25¾	16¼	22¼	18	19
		Total and Averages for all Classes	18	28¾	24	17	22¼	17¾	17½

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Expenditure on Permanent Improvements up to 30th September, 1906					Percentage of Cost of Improvements on Price of Estate, Column 16	Portion not Resold on 30th Sept., 1906			ESTATE.
Buildings.	Drainage.	Roads.	† Miscellaneous.	Total.		Poor Law Valuation.	Estimated Resale Price.	Estimated Annuities.	
25.	26.	27.	28.	29.	30.	31.	32.	33.	
£	£	£	£	£	£	£	£	£ s. d.	
583	710	557	474	2 324	28·28	—	—	—	Ffrench.
1,945	109	1,554	1,836	5,444	94·92	3	114	3 14 2	Leonard.
941	25	75	499	1,540	82·26	—	—	—	Rockfield
3,469	844	2,166	2,809	9,308	58·82	6	114	3 14 2	Total and Averages
509	—	34	210	753	39·94	—	—	—	J. A. Browne.
288	46	332	790	1,456	66·36	30	713	23 3 5	Thomson.
797	46	366	1,000	2,209	54·15	30	713	23 3 5	Total and Averages
1,418	107	31	323	1,878	72·71	56 —	1,492 —	46 9 10 —	Netterville (Newbridge) Netterville (Ballinacorra).
881	25	236	469	1,611	15·95	257	5,670	184 5 8	Kilclooney
23	—	9	54	91	11·57				S. J. McDonagh.
748	3	40	788	1,579	45·66	152	3,856	125 6 4	Comyn.
222	54	81	358	695	12·13	—	—	—	Fitzpatrick.
553	250	581	555	1,939	43·05	37	1,862	60 10 3	Burke Neville.
197	3	66	299	585	11·43	—	—	—	Gallagh Farm
4,047	442	1,044	2,848	9,379	25·92	502	12,880	418 11 11	Total and Averages.
174	80	333	373	960	4·46	840	17,278	561 10 8	C. J. Blake.
—	97	406	219	722	8·22	567	12,095	393 1 10	Kirwan I.
364	46	—	127	537	10·63	158	5,911	192 2 1	Baile.
281	12	157	92	542	27·95	63	2,150	69 17 6	R. T. King.
						71	1,229	39 18 9	D. J. Burke (pt.)
—	23	56	26	105	8·63	77	1,700	55 5 0	T. Hazell.
134	6	68	45	253	11·68	72	2,107	68 9 6	Kelly (Clooncon).
—	174	560	416	1,150	8·84	138	4,472	145 8 9	O'Kelly (Ccoloo).
2,199	506	424	787	3,916	18·92	823 162	22,019	715 12 4	Mrs. Fallon Woodbrook.
—	74	—	471	545	2·18	994	22,000	842 10 0	Dames Longworth
2	—	5	110	117	0·50	653	23,000	747 10 0	Dr. Kenny
629	31	97	148	365	13·43	116	3,468	112 14 2	Hon. R. A. Nugent.
—	67	22	2	91	3·50	69	2,227	72 7 6	B. D. O'Kelly.
—	—	—	—	—	—	243	3,029	98 6 10	Ballyhard.
—	1	1	34	39	1·65				Newcastle Wade.
545	26	121	108	800	42·35	63	2,182	70 18 3	Brownville
43	74	—	—	117	1·43	556	8,100	263 5 0	C. Allies.
161	—	155	115	431	17·52	82	2,667	86 7 2	Dr. Boyd
316	99	582	417	1,414	43·87	99	3,223	104 15 0	Rusheenamanagh.
16	—	288	6	312	8·75	139	4,030	131 5 4	P. J. Blake.
—	—	—	—	—		67	3,111	101 2 2	Lieut. Thomson.
—	—	—	—	—	—	176	4,847	157 10 8	Rev. J. Keaveney.
—	—	—	—	—	—	225	4,000	130 0 0	Thomas Tighe.
—	—	—	—	—	—	232	6,836	223 16 0	Kirwan, II.
4,924	1,318	3,276	3,498	13,016	7·28*	6,512	168,730	5,483 14 8	Total and Averages.
13,237	2,651	6,871	10,153	32,912	14·24†	7,047	182,437	5,929 4 0	Total and Averages for all Classes.

† This Column (28) includes Lockspitting, Fencing, River Drainage, and supervision of all Improvement Works &c. &c.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
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(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY	Class	ESTATE.	Portion resold by Board on 30th Sept., 1906. Poor Law Valuation	Re-sale Price	Annuities Payable	Total estimated Re-sale Price of Entire Estate
			34	35.	36.	37
			£	£	£ s d	£
GALWAY,	One,	Ffrench,	569	9 265	370 12 0	9,265
	"	Leonard,	333	6 345	253 18 0	6,459
	"	Rockfield,	80	1 561	47 8 9	1,561
		Total and Averages,	982	17 171	671 18 9	17,285
	Two,	J. A. Browne,	100	2 348	93 1 4	2 348
	"	Thomson,	100	1,813	63 18 4	2,526
		Total and Averages	200	4,161	156 19 8	4,874
	Three,	Netterville (Newbridge),	82	1,379	44 16 4	2,871
	"	Netterville Ballinacorra,	48	1,059	34 8 4	1,059
	"	Kilcooney,	183	4,893	159 0 8	10,583
	"	S. J. M'Donagh,				
	"	Comyn,	—	—	—	3,856
	"	Fitzpatrick,	276	6,041	196 6 7	6,041
	"	Birks Neville,	175	3,743	121 13 0	5,605
	"	Gallagh Farm,	149	5,589	181 12 9	5,589
		Total and Averages	913	22,704	737 17 8	35,584
	Four,	C. J. Blake,	—	—	—	17,278
	"	Kirwan, I.,	—	—	—	12,095
	"	Balfe,	—	—	—	5,911
	"	R. T. King,	—	—	—	2,150
	"	D. J. Burke (pt.),	—	—	—	1,229
	"	T. Hazell,	—		—	1,700
	"	Kelly (Clooncon)	—	—	—	2,107
	"	O'Kelly (Cooloo),	331	9,335	322 17 7	14,407
	"	Mrs. Fallon,	—	—	—	22,019
	"	Woodbrook,				
	"	Dames Longworth,	—	—	—	29,000
	"	Dr. Kenny,	—	—	—	23,000
	"	Hon. R. A. Nugent,	123	3,428	111 8 2	6,896
		B. D. O'Kelly,	—	—	—	2,227
	"	Ballyhard,	—	—	—	3,029
	"	Newcastle Wade,				
	"	Brownville,	—	—	—	2,182
	"	C. Allies,	—	—	—	8,100
	"	Dr. Boyd,	—	—	—	2,657
	"	Rusheenamanagh,	—	—	—	3,273
	"	P. J. Blake,	—	—	—	4,689
	"	Lieut. Thomson,	—	—		3,111
	"	Rev. J. Keaveney,	—	—	—	4,847
	"	Thomas Tighe,	—	—	—	4,000
	"	Kirwan, II.,	—	—	—	6,886
		Total and Averages,	454	13,363	434 5 3	182,093
		Total and Averages for all Classes.	2,549	57,399	2,000 19 8	239,836

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Total estimated Annuities payable for Entire Estate	ESTATE	OBSERVATIONS
38		
£ s d		
370 12 0	Firench	
257 10 2	Leonard.	A large portion of the untenanted land on this Estate is turbary and mountain, the remainder being Islands of good land with valuable seaweed rights attached
47 8 9	Rockfield	
675 10 11	Total and Averages.	
93 1 4	J. A. Browne	
87 1 9	Thomson	
180 3 1	Total and Averages.	
93 6 2	Netterville (Newbridge).	
34 8 4	" Ballinacorra.	
343 6 0	Kilclooney S. J. M'Donagh	
125 6 4	Comyn.	
196 6 7	Fitzpatrick	The price paid for the untenanted land on this Estate includes valuable timber and a mansion house.
182 3 3	Burke Neville	
181 12 9	Gallagh Farm.	The price paid for the untenanted land on this Estate includes plantation with valuable timber and some turbary
1,156 9 5	Total and Averages.	
561 10 8	C. J. Blake	
393 1 10	Kirwan, I.	
192 2 1	Balfe	
69 17 6	R. T. King	The untenanted land on this Estate is mountain and turbary.
39 18 8	D. J. Burke (pt.)	Columns 25 to 30 are included in Co. Mayo.
55 5 0	T. Hazell.	
68 9 8	Kelly (Clooncon)	The untenanted land on this Estate includes an area of valuable turbary
468 4 4	O'Kelly (Cooloo)	
715 12 4	Mrs. Fallon Woodbrook.	The untenanted land on this Estate includes an area of valuable turbary
942 10 0	Dames-Longworth	Columns 31 to 38 include Newcastle (Wade) Estate.
747 10 0	Dr. Kenny.	The untenanted land on this Estate includes plantations, hay-barn, and a very good house with out-offices and also three cottages
224 2 4	Hon. R. A. Nugent	
72 7 3	B. D. O'Kelly.	The untenanted land on this Estate includes a tract of valuable turbary
93 3 10	Ballyhard	
	Newcastle Wade.	Columns 31 to 38 are included in Dames-Longworth Estate
70 18 3	Brownville.	
263 5 0	C. Allies	
36 7 2	Dr. Boyd	
104 15 0	Rushcunamanagh.	The untenanted land on this Estate includes a tract of mountain and turbary and also seaweed rights.
131 5 4	P. J. Blake.	
101 2 2	Lieut. Thomson	The untenanted land on this Estate includes a tract of turbary and a valuable house with out-offices.
157 10 6	Rev. J. Keavency.	The untenanted land on this Estate includes a large tract of turbary.
130 0 0	Thomas Tighe.	
223 16 0	Kirwan, II.	The untenanted land on this Estate includes a large tract of turbary.
5,912 0 3	Total and Averages.	* *Re* Column 30—In calculating this percentage, the purchase price of D. J. Burke, Galway See, is omitted
7,930 3 3	Total and Averages for all Classes.	*Re* Column 30—In calculating this percentage, the purchase price of D. J. Burke, Galway See, is omitted

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
(1) Estates purchased
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(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY	Class	ESTATE	Date of Agreement to purchase Estate	Date of Vesting of Estate in Board	Date on which two-thirds in value of Estate had been sold by the Board	Acreage at time of Purchase		
						Tenanted	Untenanted	Total
		1.	2	3.	4.	5.	6	7.
						A	A	A
KERRY,	Three .	Herbert Farm, .	17th Oct., 1903	26th Nov., 1903,	—	—	225	225
	, .	O'Connell Farm .	March, 1903,	13th July, 1903,	—	—	101	101
		Total and Averages,	—	—	—	—	326	326
	Four, .	W. L. Rae, . .	7th Mar., 1905,	7th Mar., 1905,	—	668	127	795
	,, .	S. M. Hussey, . .	7th Dec., 1904,	—	—	1 301	208	1,509
	, .	J. E. Butler, .	3rd May, 1905	—	—	160	219	379
	, .	Burns Hartopp, .	16th June, 1905,	—	—	15,397	429	15,826
	,,	Collis Sandes,	16th June, 1905,	9th July, 1905,	—	9,241	—	9,241
	, .	Allanson Winn, .	30th Mar., 1906,	—	—	13,426	504	13,930
		Total and Averages,	—	—	—	40 193	1,487	41 680
		Total and Averages for all Classes	—	—	—	40,193	1 813	42 006
CORK	Four, .	W. D. R. Beamish, .	22nd Dec., 1904,	—	—	542	397	939
	,, .	Dr. Bird, . .	7th Nov., 1904,	25th Oct., 1906,	—	2,674	—	2,674
	,, .	O'Donovan, . .	27th May, 1905,	—	—	1,433	—	1,433
	, .	Lord Bandon, .	18th Feb., 1905,	—	—	380	—	380
	, .	Col. Longfield, .	5th Dec., 1905,	—	—	352	—	352
		Total and Averages,	—	—	—	5 381	397	5,778
		Total and Averages for all Classes,	—	—	—	5,381	397	5,778

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Four Classes, viz.:—
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903).
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act

FIGURES—*continued.*

Poor Law Valuation of Columns 5, 6, 7			Rental (of Tenanted Land only) at time of Purchase				State if Estate is wholly or partially in a Congested District	Total Price of Estate, including sums paid for Tenancy Interests as per Column 17	Net Sums paid for Tenants' Interests included in Price of Estate Column 16	ESTATE
Tenanted	Un-tenanted.	Total.	1st Term	2nd Term	Other	Total.				
8	9	10	11	12.	13	14.	15	16	17.	
£	£	£	£	£	£	£		£	£	
—	178	178	—	—	—	—	Non-congested,	3,094	300	Herbert Farm.
—	44	44	—	—	—	—	Congested, .	1,551	—	O Connell Farm.
—	222	222	—	—	—	—	—	4 645	300	Total and Averages.
168	2	168	125	—	109	234	Congested, .	4,370	20	W. L. Rae.
322	75	397	236	109	184	619	Congested,	11,002	—	S M Hussey
32	40	72	15	21	6	42	Congested,	3,480	—	J. E Butler
1 502	60	1,562	724	161	712	1,597	Congested, .	31,831	958	Burns Hartopp
2,634	—	2,634	3,208	—	—	3,206	Partly Congd.	62 167	—	Collis Sandes.
1 341	69	1 410	381	—	750	1,131	Congested, .	22 058	—	Allanson Winn.
5,597	246	6 243	4,679	291	1,761	6,731	—	134,908	978	Total and Averages.
5 997	468	6,465	4,679	291	1,761	6,731	—	139,553	1 278	Total and Averages for all Classes.
175	12	187	108	—	48	156	Congested,	3,028	—	W. D R Beamish
378	—	378	238	—	163	401	Congested,	7,932	—	Dr Bird
206	—	206	152	27	—	179	Congested, .	3,685	35	O'Donovan
58	—	58	—	49	—	49	Congested,	1 045	—	Lord Bandon.
135	—	135	—	—	132	132	Congested, .	1 400	—	Col Longfield
952	12	964	498	76	343	917	—	17 090	35	Total and Averages
952	12	964	498	76	343	917	—	17,090	35	Total and Averages for all Classes.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in
(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class.	ESTATE	Number of Year Purchase of Poor Law Valuation Columns 8, 9, 10.			Number of Years Purchase of Rent Columns 11, 12, 13, 14			
			Tenanted.	Un-tenanted.	Total.	1st Term	2nd Term	Other.	Total.
			18.	19	20	21	22	23	24.
KERRY,	Three,	Herbert Farm,	—	17⅓	17⅓	—	—	—	—
	"	O'Connell Farm,	—	35¼	35¼	—	—	—	—
		Total and Averages,	—	21	21	—	—	—	—
	Four,	W. L. Rae,	25⅝	50	26	19¼	—	18	18
	"	S. M. Hussey,	30¼	17	27⅞	18½	23	20	18¾
	"	J. E. Butler,	27	65⅓	48⅓	20	24	12½	20⅙
	"	Burns Hartopp,	19⅝	22¼	19⅞	18½	18½	18½	18½
	"	Collis Sandes,	23⅝	—	23⅝	19½	—	—	19½
	"	Allanson Winn,	15⅓	24⅝	15⅞	18	—	18	18
		Total and Averages,	21¼	28½	21½	19	20½	18	18⅝
		Total and Averages for all Classes	21¼	25	21½	19	20½	18	18⅞
CORK,	Four,	W. D. R. Beamish,	16	18⅞	16¼	18	—	18	18
	"	Dr. Bird,	21	—	21	19¾	—	19⅞	19¾
	"	O'Donovan,	17⅝	—	17⅞	20½	20	—	20½
	"	Lord Bandon,	18		18	—	21⅓	—	21⅓
	"	Col. Longfield,	10⅓	—	10⅓	—	—	10⅝	10⅝
		Total and Averages,	17⅝	18¾	17⅝	19½	21	16	18⅓
		Total and Averages for all Classes	17⅝	18¾	17⅝	19½	21	16	18⅓

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts and partly under New Act (*i.e.*, Act of 1903).
under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.
under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Expenditure on Permanent Improvements up to 30th September, 1906					Percentage of Cost of Improvements on Price of Estate Column 15.	Portion not Resold on 30th Sept., 1906			ESTATE.
Buildings	Drainage	Roads.	† Miscellaneous.	Total.		Poor Law Valuation	Estimated Resale Price.	Estimated Annuities	
25	26.	27	28.	29.	30.	31	32	33.	
£	£	£	£	£		£	£	£ s. d.	
1	—	—	111	112	3·62	178	3,094	100 11 2	Herbert Farm.
—	—	—	—	—	—	44	1,551	50 8 2	O'Connell Farm
1	—	—	111	112	2·41	222	4,645	150 19 4	Total and Averages
13	122	415	247	797	18·23	26	2,422	78 14 4	W. L. Rae
96	461	253	243	1,053	9·57	397	11,500	373 15 0	S. M. Hussey
—	—	17	1	18	0·50	72	3,300	107 5 0	J. E. Butler.
52	191	918	1,306	2,467	7·75	1,562	32,198	1,046 8 0	Burns Hartopp
2	25	596	28	651	1·04	2,834	58,614	1,905 18 8	Collis Sandes.
—	—	—	—	—	—	1,410	24,376	792 4 8	Allanson Winn.
163	799	2,199	1,825	4,986	3·69	6,101	132,440	4,304 5 6	Total and Averages
164	799	2,199	1,936	5,098	3·65	6,323	137,085	4,455 4 10	Total and Averages for all Classes
13	54	167	45	279	9·21	187	3,425	111 6 3	W. D. R. Beamish.
—	87	376	43	506	6·67	378	8,938	290 9 8	Dr. Bird.
17	17	241	63	338	9·17	206	3,792	123 4 6	O'Donovan.
—	—	13	1	14	1·24	58	1,157	37 12 2	Lord Bandon.
—	—	—	—	—	—	135	1,400	45 10 0	Col. Longfield.
30	158	797	152	1,137	6·65	964	18,712	608 2 10	Total and Averages
30	158	797	152	1,137	6·65	964	18,712	608 2 10	Total and Averages for all Classes

† This Column (28) includes Lockspitting, Fencing, River Drainage, and supervision of all Improvement Works, &c., &c.

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RETURN (*continued*) showing particulars of ESTATES PURCHASED and SOLD by the BOARD, arranged in

(1) Estates purchased
(2) Estates purchased
(3) Estates purchased
(4) Estates purchased

B.—DETAILED

COUNTY.	Class	ESTATE	Portion Resold by Board on 30th Sept., 1906.			Total estimated Re sale Price of Entire Estate
			Poor Law Valuation	Re-sale price.	Annuities payable	
			34	35	36.	37
			£	£	£ s. d	£
KERRY,	Three	Herbert Farm,	—	—	—	3,094
	"	O Connell Farm,	—	—	—	1,551
		Total and Averages,	—	—	—	4,645
	Four,	W. L. Rae,	142	2,352	76 8 9	4 774
	"	S. M. Hussey	—	—	—	11,500
	"	J. E Butler	—	—	—	3,300
	"	Burns Hartopp,	—	—	—	32,193
	"	Collis Sandes,	—	—	—	58 644
	"	Allanson Winn,	—	—	—	24 376
		Total and Averages,	142	2,352	76 8 9	134 792
		Total and Averages for all Classes.	142	2,352	76 8 9	139,437
CORK	Four,	W. D. R. Beamish,	—	—	—	3,425
	"	Dr. Bird,		—	—	8,938
	"	O'Donovan,	—	—	—	3,792
	"	Lord Bandon,	—	—	—	1,157
	"	Col. Longfield	—	—	—	1,400
		Total and Averages,	—	—	—	18 712
		Total and Averages for all Classes	—	—	—	18,712

HUSSEY ESTATE.—The untenanted land on this estate at the time of purchase was turbary and cut-away bog. The late owner had been letting the turbary every year to outside tenants, and the Poor Law Valuation of it was assessed at £75, on the basis of the Revenue derived from it by sale of turbary. Since the Board purchased the Estate, the bog was divided amongst the tenants for use in connection with their holdings, and none has been sold to the outside tenants. In consequence of this the Poor Law Valuation has been reduced from £75 to £2, with the result that the purchase price of this untenanted land was only 17 years' purchase of the Poor Law Valuation at the time of sale to the Board, but 639 years' purchase of the present Poor Law Valuation

NOTES BY CHIEF LAND INSPECTOR.

It will be observed from the above Return that the number of years' purchase of the Poor Law Valuation paid both for tenanted and untenanted land varies greatly. In nearly every case where the price exceeds 28 years' purchase of the Poor Law Valuation for untenanted land, an explanation will be found in the marginal notes to the effect that the large number of years purchase arises from the fact that the untenanted land covered large areas of turbary, plantations with valuable timber or buildings, and in one case a valuable fishery.

Before this Return was prepared I suggested that the bog and plantations ought to be excluded, or the comparison throughout of cost price with the Poor Law Valuation would be misleading, but it was decided that all untenanted land, irrespective of its character, should be included in the Return without classification

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under Old Acts (*i.e.*, Prior to Act of 1903), and Sold under Old Acts.

under Old Acts (*i.e.*, Prior to Act of 1903), and Sold partly under Old Acts, and partly under New Act (*i.e.*, Act of 1903).

under Old Acts (*i.e.*, Prior to Act of 1903), and Sold entirely under New Act.

under New Act (*i.e.*, Since Act of 1903), and Sold under the same Act.

FIGURES—*continued.*

Total estimated Annuities payable for Entire Estate.	ESTATE.	OBSERVATIONS
£ s. d.		
100 11 2	Herbert Farm.	
50 8 2	O'Connell Farm	This farm was purchased from a tenant purchaser, who was paid £300 for his interest subject to the Land Commission annuity.
150 19 4	Total and Averages.	
155 3 1	W. L. Rae.	
373 15 0	S. M. Hussey.	See observation beneath.
107 5 0	J. E. Butler	The untenanted land on this estate includes a large tract of turbary, valuable farm buildings, and a cottage.
1,046 8 0	Burns Hartopp	
1,805 18 8	Collis Sandes.	
792 4 6	Allanson Winn	
4,380 14 3	Total and Averages	
4,531 13 7	Total and Averages for all Classes	
111 6 3	W. D. R. Beamish	
290 9 8	Dr. Bird.	
123 4 9	O'Donovan	
37 12 2	Lord Bandon	
45 10 0	Col. Longfield	
608 2 10	Total and Averages.	
608 2 10	Total and Averages for all Classes	

Bog valued as a rule, at three pence an acre would be in many districts cheap for turbary at from £1 to £5 per acre. At £1 per acre this would be 80 years' purchase of the Poor Law Valuation, at £3 per acre 240 years' purchase and at £5 per acre this would be 400 years' purchase.

Very poor land which is sometimes capable of growing valuable timber, if valued at a low rate, will also give a similar result consequently the introduction of turbary on very poor land that cannot be classed as agricultural especially if it has upon it valuable timber which has to be purchased at a substantial price, brings very disturbing factors into play when estimating the number of years purchase of the Poor Law Valuation paid for all classes of untenanted land, grouped together as in above Return.

With regard to tenanted land. On very poor estates where the holdings are comprised largely of reclaimed bog the above Return shows that in many cases the price paid for tenanted land is very high on the Poor Law Valuation, while low on the rental of 1st term, 2nd term, and yearly tenancies. This apparent discrepancy does not arise in the case of holdings of arable land either on estates purchased by the Board or on the better class of estates, or the average estate outside the scheduled districts.

Referring to the columns dealing with the final financial results of the Board's treatment of these estates, I consider that this return is of little value, except in the case of estates on which the improvement Works were completed on the 30th September, 1906 on which date the accounts were closed for the preparation of this Return. Since then a year's rent would have been received from the tenants; and the outlay in connection with the surveys and Clerks of Works is not shown, such outlay not being apportioned to each estate until the end of the Financial Year.

As to the summaries and averages, I desire to point out that the figures are in many cases misleading owing to their being affected by the abnormal conditions dealt with in these notes and those appearing in the margins explaining rates of purchase. It may be added that the price paid for estates includes the arrears due at time of purchase.

HENRY DORAN.

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APPENDIX

DOCUMENT PUT IN BY THE SECRETARY

RETURN giving particulars of Estates Purchased by the Estates Commissioners in Counties which comprise

Estate.	Date of Agreement to purchase Estate	Date of Vesting Estate in Estates Commissioners	Date on which two-thirds (in value) of Estate had been resold. (a)	Acreage. Tenanted	Acreage. Untenanted	Acreage. Total	Poor Tenanted.
1	2	3	4	5	6.	7.	8
				A. R. P.	A. R. P.	A. R. P.	£ s. d.
DONEGAL.							
Lyle, G. S. B., and others,	24th February, 1905	24th February, 1905,	9th April, 1905,	1,743 1 21	—	1,748 1 21	1,321 3 0
GALWAY.							
Bodkin, Martin,	19th June, 1904	22nd December, 1904,	2nd November, 1905,	188 1 35	2,324 2 9	2,513 0 4	90 5 0
Browne, John,	29th November, 1904,	27th March, 1905,	30th March, 1905,	—	360 1 0	360 1 0	—
Henry, Hugh A.,	9th April, 1905,	26th July, 1905,	28th June, 1906,	4,092 2 26	2,150 2 20	6,243 1 12	1,451 10 0
Kelly, Mrs Anne (Loughrea Convent)	1st April, 1905, 27th June 1905	31st July, 1905, 2nd November, 1905,	31st July, 1905,	36 0 22	1,383 1 22	1,419 2 4	15 10 0
Daly, W., and anor (Dunsandle)	3rd May, 1905,	13th December 1905,	5th July, 1909,	9,192 0 37	4,413 2 3	13,575 3 0	3,374 4 0
Keating, M. D.,	23rd October, 1905,	12th January 1906,	—	870 1 0	90 2 6	760 3 15	201 8 0
Golding, John (Rosmeacon),	16th June, 1905,	14th December, 1906,	—	—	301 3 38	301 3 38	—
Daly, Col. J. A. (Raford),	23rd June, 1905,	8th February, 1906,	—	2,714 3 5	1,767 0 2	4,481 3 7	1,020 4 0
Cowan, Stephen J.,	7th March, 1906	11th June, 1906,	14th June, 1909,	5 0 0	393 3 3	398 3 3	3 10 0
MacHale Patrick,	19th February, 1906,	11th June, 1906,	—	362 1 15	—	362 1 15	139 0 0
Daly, W., and anor. (Killimor),	26th May, 1906,	17th July, 1906,	—	1,323 0 32	353 0 31	1,676 1 23	736 14 0
Lambert, J. W. H.,	17th July, 1905,	17th July, 1905,	—	895 2 28	1,206 2 22	1,992 1 10	415 5 0
Galway, Trustees of W. T.,	25th January, 1906,	25th January, 1906,	—	221 0 4	527 0 8	748 0 12	70 0 0
Total for Galway,	—	—	—	19,471 3 13	15,392 2 10	34,864 1 23	7,515 10 0
LEITRIM, C. D.							
Tottenham, G. L.,	20th May, 1904,	8th December, 1904,	8th December, 1904,	1,856 2 5	—	1,856 2 5	424 2 0
MAYO							
Knox, Florence,	24th November, 1904,	24th November, 1904,	1st December 1904,	3,090 3 2	2,460 1 22	5,551 0 24	44 0 0
ROSCOMMON							
King-Harman, E. C. S.	9th November, 1904,	1st May, 1905, 20th July, 1905,	19th October, 1905,	25,088 3 30	1,499 3 21	26,580 3 11	14,278 17 0
King-Harman, E. C. S. (*Baple Town*)	5th July, 1905,	20th July, 1905	6th November, 1905,	35 2 26	—	35 2 26	1,968 0 0
Magan, A. T. S.,	8th January, 1905,	20th July, 1905,	9th November, 1905,	1,413 3 21	393 2 23	1,807 2 4	606 10 0
Young, W. O'Grady,	30th March, 1905,	24th July, 1906,	—	249 2 10	471 2 51	718 1 1	98 10 0
Balfe, Michael J.,	6th July, 1906	8th July, 1906,	—	1,575 0 29	1,157 2 2	2,732 2 25	732 7 0
Biron, R. J.,	23rd July, 1906,	23rd July, 1906,	—	1,509 1 23	—	1,506 1 23	483 16 0
Total for Roscommon,	—	—	—	29,867 2 13	3,519 2 37	33,387 1 10	17,870 0 0
SLIGO							
King-Harman, E. C. S.,	9th November, 1904,	1st May, 1905, 20th July, 1905,	19th October, 1905,	9,320 0 8	82 2 35	9,402 3 3	3,925 3 0
Howley, Col. J.,	9th April, 1905,	24th July 1906	—	1,102 1 16	219 2 20	1,315 3 39	177 5 0
Total for Sligo,	—	—	—	10,422 1 24	296 1 15	10,718 2 39	4,102 8 0
SLIGO, C. D.							
King-Harman, E. C. S.,	9th November, 1904,	1st May, 1905, 20th July, 1905,	19th October, 1905	2,505 0 2	6 0 20	2,511 0 22	912 2 0
CLARE							
MacDonnell, C. R. A.,	11th May, 1906,	20th July, 1906,	—	2,100 1 30	22 3 13	2,123 1 9	947 9 0
White, Hon. C. W., and anor,	16th July 1906	16th July, 1906,	—	—	186 1 15	186 1 15	—
Total for Clare,	—	—	—	2,100 1 30	209 0 28	2,309 2 19	947 9 0
CORK							
Mackay, Margaret,	28th June 1904,	9th July 1905,	9th July, 1905,	99 3 18	—	99 3 18	103 10 0
Clarke, Thomas,	27th June, 1905,	2nd November, 1905,	1st December, 1905,	4 199 2 17	743 2 13	4,943 0 30	1,487 17 0
Minhear, James	8th August 1904,	8th August, 1904,	6th October, 1904,	1,222 0 29	—	1,222 0 29	93 0 0
Power, Pierce G.,	21st December 1904,	21st December, 1904,	19th January, 1905,	224 2 5	—	224 2 5	104 0 0
White, R. H. E.,	13th May 1905,	13th May, 1905,	19th May, 1905,	13,825 0 39	—	13,825 0 39	2,443 2 0
Creagh, J. W. B., and anor,	15th May, 1905,	15th May, 1905,	6th July, 1905,	77 3 10	—	77 3 10	31 0 0
M'Kenna, Sir J. H.,	9th June, 1904,	6th June 1904,	13th July 1905,	1,297 2 11	—	1,297 2 11	485 6 0
Parke Florence H., and ors,	12th April 1906,	12th April 1906,	3rd May, 1906,	444 2 21	—	444 2 21	170 5 0
Cummins, T. M., and anor,	8th April, 1906	8th April, 1906,	3rd May, 1906,	205 0 4	—	205 0 4	156 10 0
Warburton, M. A. C.,	10th May, 1906	10th May 1906,	17th May, 1906,	909 2 23	—	909 2 23	660 10 0
Total for Cork,	—	—	—	22,593 0 17	740 2 13	23,339 2 30	5,734 19 0
KERRY							
Hurley, J. C. D.,	6th June 1905,	6th June, 1905,	15th June, 1905,	200 2 9	—	200 2 9	96 4 0
Gun, W. T. Jackson,	4th November, 1904,	19th April, 1905,	1st June, 1905,	5,052 3 10	—	5,052 3 10	1,703 14 0
Total for Kerry,	—	—	—	5,253 1 19	—	5,253 1 19	1,799 18 0
Total for Non-Congested Counties,	—	—	—	94,547 3 19	22,624 3 5	117,172 2 24	39,035 4 0
Total for Congested Counties.	—	—	—	4,161 2 7	6 0 20	4,167 2 27	1,336 4 0
SUMMARY,	—	—	—	98,709 1 26	22,630 3 25	121,340 1 11	40,371 8 0

(a) Estates either wholly or in part not re-sold are either in course of improvement or holdings cannot be vested owing to deaths &c

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X.

OF THE ESTATES COMMISSIONERS

Scheduled Congested Districts, during the period from 1st November, 1903, to 30th September, 1906

Law Valuation. (b)		Rental (of Tenants' Land only)				State if Estate is wholly or partly in Congested Districts	Price of Estate (excluding "Demesnes")			Estate
Untenanted	Total.	First Term	Second Term	Other	Total.		Price of Tenanted Land	Price of Untenanted Land	Total Price of Estate.	
9	10	11.	12.	13	14	15	16A	16B	16	
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.		£	£	£	
										DONEGAL.
—	1,321 3 0	890 19 0	248 10 0	71 15 9	1,011 4 9		21,715	—	21,715	Lyle, G. S. B., and others.
										GALWAY.
605 3 0	605 9 0	31 1 9	30 14 0	22 15 9	84 11 0		1,926	22,177	24,103	Bodkin, Martin
182 1 0	182 1 0	—	—	—	—		—	4,930	4,930	Browne, John
631 0 0	2,082 10 0	94 10 9	582 1 4	668 2 0	1,344 13 10		33,123	21,345	54,468	Henry, Hugh A.
1,000 0 0	1,015 10 0	—	10 17 0	5 8 0	16 5 0		334	22,271	22,605	Kelly, Mrs Anne (Loughrea Convent)
1,979 0 0	5,353 4 0	—	1,344 17 0	2,148 19 8	3,493 10 8		78,123	56,528	134,651	Daly, W., and anor., (Dunsandle).
1 0 0	202 8 0	158 17 6	1 5 0	85 8 4	245 5 10		5,084	1	5,085	Keating, M. D.
130 9 0	139 9 0	—	—	—	—		—	3,800	3,800	Golding, John (Rosmeacron).
866 0 0	1,888 4 0	232 7 4	98 18 9	620 13 10	951 19 8		20,653	24,474	45,127	Daly, Col. J. H. (Raford)
215 15 0	219 5 0	—	—	4 0 0	4 0 0		30	9,720	9,800	Cowan, Stephen J.
—	139 0 0	—	118 3 0	—	118 3 0		2,368	—	2,368	MacHale, Patrick.
201 2 0	937 18 0	90 7 8	176 7 8	335 17 5	602 12 0		13,638	6,200	19,838	Daly, W., and anor. (Killimor)
782 0 0	1,195 5 0	12 2 0	204 9 9	137 5 9	413 17 0		8,958	15,047	24,005	Lambert, J. W. H.
147 10 0	237 10 0	21 18 9	—	44 11 11	66 10 5		1,463	2,937	4,400	Galway, Trustees of W. T.
7,049 17 0	14,595 7 0	941 5 0	2,927 18 0	4,072 11 2	7,941 14 2		165,810	186,430	352,240	Total for Galway.
										LEITRIM, C.D.
—	424 2 0	132 12 0	114 11 5	27 2 1	274 5 6	C.D.	7,612	—	7,612	Tottenham, G. L.
										MAYO
73 5 0	117 5 0	46 18 8	—	10 9 0	63 5 8		1,178	1,748	2,926	Knox, Florence
										ROSCOMMON.
153 17 0	14,432 14 0	4,592 1 5	1,171 12 9	7,110 9 10	12,880 4 0		289,735	3,461	293,190	King-Harman, E. C. S.
—	1,668 0 0	—	—	802 13 5	802 12 5		15,835	—	15,835	King-Harman, E. C. S. (Boyle Town)
195 5 0	793 15 0	20 8 0	194 4 9	918 15 0	479 7 9		11,365	8,089	19,454	Magan, A. T. S.
264 15 0	353 5 0	—	—	108 5 9	108 5 9		2,197	7,523	9,720	Young, W. O'Grady.
396 15 0	1,009 2 0	258 5 9	222 9 0	195 19 1	676 7 7		12,896	8,782	21,678	Balfe, Michael J.
—	483 19 0	503 5 0	—	79 17 1	443 2 1		7,900	—	7,900	Biron, R. J.
950 12 0	18,830 12 0	5,230 19 11	1,528 0 3	8,421 19 11	15,190 0 1		339,918	24,865	364,483	Total for Roscommon.
										SLIGO
94 0 0	3,989 5 0	1,280 7 7	141 15 9	2,166 12 2	3,588 15 8		75,260	2,596	77,856	King Harman, E. C. S.
94 9 0	241 14 0	—	—	181 10 9	181 10 6		3,627	2,100	5,727	Howley, Col. J.
188 9 0	4,230 17 0	1,280 7 7	141 15 9	2,348 2 8	3,770 9 0		78,887	4,196	83,083	Total for Sligo
										SLIGO, C.D.
0 5 0	912 7 0	429 16 8	18 18 0	284 9 9	728 0 5	C.D.	15,611	14	15,625	King-Harman, E. C. S.
										CLARE.
2 12 0	840 18 0	12 4 9	702 19 6	64 4 9	770 5 9		16,458	116	16,574	MacDonnell, C. R. A.
92 10 0	92 10 0	—	—	—	—		—	1,588	1,588	White, Hon. C. W., and anor.
95 2 0	742 8 0	12 4 9	702 19 6	64 4 9	779 5 9		16,458	1,704	18,162	Total for Clare
										CORK.
—	103 10 0	—	—	115 19 9	115 19 9		2,415	—	2,415	MacKay, Margaret.
297 2 0	1,784 19 0	999 7 9	121 2 9	530 10 1	1,621 9 1		36,273	7,361	43,634	Clarke, Thomas
—	93 0 0	66 0 0	95 0 0	21 0 0	122 0 0		1,966	—	1,966	Minhear, James
—	104 0 0	—	107 8 0	3 0 0	110 8 0		2,255	—	2,255	Power, Pierce G.
—	2,446 2 0	1,512 9 8	408 11 9	558 2 7	2,479 0 9		45,197	—	45,197	White, R. H. E.
—	31 0 0	16 10 0	—	10 0 0	26 10 0		566	—	566	Creagh, J. W. B., and anor.
—	485 5 0	375 13 2	—	109 18 9	482 11 2		10,270	—	10,270	M'Kenna, Sir J. H.
—	170 5 0	14 18 0	97 6 0	94 18 8	187 2 8		3,921	—	3,921	Parke, Florence H., and ors.
—	159 10 0	28 0 0	—	148 10 0	176 10 0		3,363	—	3,363	Cummins, T. M., and anor.
—	560 10 0	503 19 0	171 18 5	53 15 0	729 10 5		15,412	—	15,412	Warburton, M. A. C.
297 2 0	6,032 1 0	3,487 3 4	931 4 6	1,832 10 10	6,051 7 8		121,638	7,361	128,999	Total for Cork
										KERRY.
—	99 4 0	71 15 0	8 17 0	25 0 0	105 12 0		2,007	—	2,007	Horley, J. C. D.
—	1,703 14 0	460 8 4	1,387 11 0	261 18 0	2,109 18 1		46,933	—	46,933	Gun, W. T. Jackson.
—	1,709 18 0	532 3 4	1,396 8 0	286 18 9	2,215 10 1		48,940	—	48,940	Total for Kerry.
8,604 7 0	47,639 11 0	11,930 19 4	7,576 13 0	16,915 1 7	36,422 13 1		794,214	226,304	1,020,518	Total for Non-Congested Counties.
0 5 0	1,336 9 0	612 7 8	128 7 5	311 10 10	1,052 5 11		23,223	14	23,237	Total for Congested Districts.
8,604 12 0	48,979 0 0	12,543 7 0	7,705 0 5	17,226 12 5	37,474 19 0		817,467	226,318	1,043,785	Summary

(b) The valuation here given is the Poor Law Valuation at date of purchase by Commissioners, and does not include the value of any buildings erected by them.
*Except where otherwise stated, the estate is wholly in districts not scheduled as congested.

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APPENDIX

RETURN giving particulars of Estates Purchased by the Estates Commissioners in Counties which comprise

Estate.	Sums paid for Tenants' Interest included in Price of Estate	Number of years' purchase of Poor Law Valuation: Tenanted	Number of years' purchase of Poor Law Valuation: Untenanted	Number of years' purchase of Poor Law Valuation: Total	Number of years' purchase of Rent (Tenanted Lands only): 1st Term	Number of years' purchase of Rent (Tenanted Lands only): 2nd Term	Number of years' purchase of Rent (Tenanted Lands only): Other	Number of years' purchase of Rent (Tenanted Lands only): Total	Amount sanctioned for Improvements out of Reserve Fund (Secs 12 and 43): Buildings	Drainage	Roads	Miscellaneous (c)	Total (d)	Percentage of Cost of Improvements on Price of Estate Col 18
	17	18	19	20	21	22	23	24	25	26	27	28	29	30
DONEGAL	£													
Lyle, G. S. B., and others,	—	16 4	-	10 4	21 5	20 7	23 5	21 4	—	—	—	—	-	—
GALWAY														
Bodkin, Martin	—	21 3	24 5	24 2	22 5	22 8	22 8	22 7	533	—	165	30	734	6 0
Browne, John,	—	—	27 1	27 1	—	—	—	—	360	—	—	165	525	10 6
Henry, Hugh A	—	22 8	33 8(f)	26 2	23 4	24 0	25 3	24 6	700	—	243	77	1,020	1 6
Kelly, Mrs Anne (Loughrea Convent)	—	25 4	22 3	22 3	—	22 6	26 8	24 2	560	—	405	235	1,200	5 6
Daly W. and anor. (Dunsandle)	—	23 2	28 6	25 2	—	23 9	21 3	2 3	350	—	1,000	50	1,400	1 0
Keating M. D.,	—	27 5	1 0	27 5	20 8	20 8	20 6	20 7	—	—	—	—	—	—
Golding John (Rosmeanna),	—	—	27 3	27 3	—	—	—	—	—	—	—	—	—	—
Daly, Col. J. A. (Raford)	—	20 2	26 8	23 9	21 7	2 0	21 6	21 6	350	—	58	235	643	1 4
Cowan, Stephen J.,	—	22 8	31 1	31 0	—	—	20 0	20 0	—	—	—	—	—	—
MacHale Patrick.	—	17 0	—	17 0	—	20 0	—	20 0	—	—	—	—	—	—
Daly, W. and anor. (Killimor),	—	18 5	30 8	21 2	22 5	23 7	22 1	22 6	390	—	70	40	500	2 5
Lambert, J. W. H.,	—	21 7	19 2	20 1	22 9	22 0	22 1	22 0	60	—	45	43	148	0 6
Galway Trustees of W. T.,	—	20 9	16 9	20 2	22 3	—	21 8	21 9	100	—	91	71	262	0 0
Total for Galway,	—	22 1	26 4	24 2	21 0	23 5	22 1	22 8	3,436	—	2,137	619	6,492	1 8
LETTRIM C.D														
Tottenham, G. L.,	—	17 6	—	17 6	22 1	25 6	22 0	23 4	—	—	—	—	—	—
MAYO														
Knox Florence,	—	20 8	23 9	25 0	18 7	—	18 4	18 6	—	—	—	—	—	—
ROSCOMMON														
King-Harman, E. C. S.,	—	20 3	22 5	20 3	22 6	25 1	22 0	22 5	—	—	—	—	—	—
King Harman E. C. S. (Boyle Town)	—	9 5	—	9 5	—	—	26 2	26 2	—	—	—	—	—	—
Magan, A. T. S.	—	18 7	27 5	20 7	21 5	22 5	24 0	23 7	—	—	—	—	—	—
Young, W. O'Grady,	—	22 3	29 5	27 5	—	—	20 2	20 2	250	—	480	—	680	7 0
Balfe Michael J.,	—	17 6	23 0	19 7	19 0	20 2	17 6	18 0	590	—	213	77	880	4 1
Biron, R. J.,	—	15 7	—	15 7	17 1	—	16 9	17 1	—	—	—	—	—	—
Total for Roscommon,	—	19 0	25 9	19 5	22 0	24 2	22 2	22 2	840	—	645	77	1,560	0 4
SLIGO														
King Harman E. C. S.,	—	16 2	32 7(g)	16 4	22 6	25 1	19 8	21 0	—	—	—	—	—	—
Howley, Col J.,	—	20 5	32 6	23 7	—	—	20 0	20 0	—	50	200	18	268	4 7
Total for Sligo,	—	16 2	32 7	19 6	22 6	25 1	19 8	20 6	—	50	200	18	268	0 3
SLIGO, C.D.														
King Harman F. C. S.,	—	17 1	56 0(h)	17 1	22 4	25 7	16 7	21 4	—	—	—	—	—	—
CLARE														
MacDonnell C. R. A.,	—	25 4	44 6(i)	25 5	19 7	21 4	18 6	21 0	—	—	—	—	—	—
White, Hon C. W. and anor.,	—	—	17 2	17 2	—	—	—	—	100	—	—	150	250	15 7
Total for Clare,	—	25 4	17 9	24 5	19 7	21 4	18 6	21 0	100	—	—	150	250	1 4
CORK														
MacKay Margaret,	—	23 3	—	23 3	—	—	20 8	20 8	—	—	—	—	—	—
Clarke, Thomas,	—	24 4	24 6	24 7	22 4	22 6	22 3	22 3	550	—	15	335	900	2 1
Mulhear, James	—	21 1	—	21 1	14 5	18 4	17 0	16 1	—	—	—	—	—	—
Power, Pierce G.,	—	21 7	—	21 7	—	20 4	20 3	20 4	—	—	—	—	—	—
White R. H. E.,	—	18 5	—	18 5	16 6	18 5	17 0	18 2	—	—	—	—	—	—
Creagh J. W. B. and anor.,	—	18 3	—	18 3	20 7	—	21 5	21 0	—	—	—	—	—	—
M'Kenna, Sir J. H.,	—	21 2	—	21 2	21 4	—	20 0	20 1	—	—	—	—	—	—
Parke Florence H. and ors.,	—	23 0	—	23 0	21 7	24 5	17 1	21 0	—	—	—	—	—	—
Cummins, F. M. and anor	—	21 5	—	21 5	21 5	—	18 5	19 0	—	—	—	—	—	—
Warburton, M. A. C.	—	23 3	—	23 3	20 4	23 5	19 3	21 1	—	—	—	—	—	—
Total for Cork,	—	21 2	24 8	21 4	20 2	20 6	19 5	20 1	550	—	15	335	900	0 7
KERRY														
Horley J. C. D.	—	20 6	—	20 6	18 8	23 0	18 6	19 0	—	—	—	—	—	—
Gun W. I. Jackson,	—	27 5	—	27 5	21 0	23 0	20 4	22 2	—	—	—	—	—	—
Total for Kerry	—	27 2	—	27 2	20 7	23 0	20 3	22 1	—	—	—	—	—	—
Total for Non Congested Counties	—	20 3	26 3	21 4	21 4	22 6	21 6	21 8	4,620	50	2,665	1,496(e)	6,470(d)	0 6
Total for Congested Counties,	—	17 4	50 0(k)	17 4	22 4	25 8	16 9	22 1	—	—	—	—	—	—
SUMMARY,	—	20 3	26 3	21 3	21 5	23 0	21 5	21 8	4,620	50	2,665	1,496(e)	6,470(d)	0 6

(e) Viz.—Fences, £541, and Live Stock £955. (d) Of this sum £3,169 is repayable by the purchasing tenants as part of their purchase annuities.
(f) The value of these lands had been considerably increased by the owner since the fixing of the poor law valuation and prior to sale to Commissioners.
(g) These 82A 2R 35P which were equipped with buildings, &c. had been in the hands of a tenant shortly prior to the sale of the Estate. his interest was purchased by the landlord, and the lands, with the buildings, &c. were purchased by the Commissioners as untenanted land for £2,096.
(h) This is in respect of 6A 0R 10P which was bog at date of poor law valuation, but had been reclaimed prior to sale to Commissioners, the purchase money being £14.
(i) This is in respect of 22A 3R 13P which was bog and moor at date of poor law valuation but had been reclaimed prior to sale to Commissioners, the purchase money being £[illegible]

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X—*continued.*

Scheduled Congested Districts during the period from 1st November, 1903 to 30th September, 1906—*continued.*

Portion not resold to date.			Portion resold.			Total Estimated Resale Price.	Total Estimated Annuities Payable.	Estate.
Poor Law Valuation (e)	Estimated Resale Price.	Estimated Annuities	Poor Law Valuation (e)	Resale Price	Annuities Payable.			
31.	32	33	34	35	36.	37.	38.	
£ s d	£	£ s. d.	£ s d	£	£ s d.	£	£ s d.	
			1,321 3 0	21,715	705 14 10	21,715	705 14 10	DONEGAL Lyle, G. S. B., and others.
								GALWAY.
21 0 0	516	16 5 0	974 8 0	24,182	766 18 8	24,698	783 3 8	Bodkin, Martin.
—	—	—	182 1 0	4,630	160 4 8	4,630	160 4 8	Browne, John.
140 7 0	5,058	162 1 8	1,942 3 0	46,721	1,587 3 8	54,756	1,749 5 2	Henry, Hugh A.
254 16 0	6,072	164 14 10	760 14 0	16,978	551 15 8	23 050	746 10 6	Kelly, Mrs. Anne (Loughrea Convent)
758 16 0	16,177	823 5 2	4,564 8 0	115,584	3,755 16 8	134,741	4,370 1 10	Daly, W., and anor., (Dunsandle)
202 8 0	5,086	165 4 8	—	—	—	5,085	165 4 8	Keaina, M. D
136 6 0	3,800	123 10 0	—	—	—	3,800	123 10 0	Golding, John (Rosmearon).
1,886 4 0	46,320	1,472 18 0	—	—	—	45,320	1,472 18 0	Daly, Col J A. (Raford).
—	—	—	216 5 0	6 800	221 0 0	6,800	221 0 0	Cowan, Stephen J
136 0 0	2 368	76 19 2	—	—	—	2,308	76 10 2	MacHale, Patrick.
937 16 0	16,836	644 14 8	—	—	—	16 838	644 14 8	Daly, W., and anor (Killimor)
414 17 0	8,471	275 6 2	780 8 0	15,682	506 13 4	24,153	784 10 6	Lambert, J W. H.
217 10 0	4,212	136 17 10	—	350 (Cash)	—	4,562	136 17 10	Galway, Trustees of W. T.
5,112 0 0	113,527	3 861 17 2	9,453 7 0	254,207	7,652 12 4	354,104	11,444 3 6	Total for Galway.
								LEITRIM, C D.
23 0 0	428	13 13 2	401 2 0	7,184	233 6 8	7,612	247 7 10	Tottenham, G. L.
								MAYO
—	—	—	117 5 0	2,926	95 2 0	2,926	95 2 0	Knox, Florence
								ROSCOMMON.
656 14 0	16,656	541 9 0	13,779 0 0	276,540	8,987 11 0	293,196	9 528 17 6	King-Harman, E. C. S.
19 0 0	118	3 15 6	1,646 0 0	15,716	503 7 2	15,835	507 2 8	King-Harman, E. C. S. (*Boyle Town*)
—	—	—	763 15 0	16,454	534 15 2	16,454	534 15 2	Magan, A T. S.
353 5 0	10,150	329 17 6	—	—	—	10,150	329 17 6	Young, W. O'Grady
1,066 2 0	21,965	713 17 4	—	—	—	21,965	713 17 4	Balfe, Michael J.
483 16 0	7,600	247 0 0	—	—	—	7 600	247 0 0	Biron, R J
2,611 17 0	56,487	1,836 10 10	16,213 15 0	308,713	10,025 13 4	365,200	11,861 10 2	Total for Roscommon.
								SLIGO.
350 8 0	5 766	188 7 6	3,638 15 0	71,580	2,325 14 0	77,346	2 514 1 6	King-Harman, E C. S.
241 14 0	5,727	186 2 8	—	—	—	5,727	186 2 8	Howley, Col. J.
592 2 0	11,523	374 10 2	3,638 15 0	71,580	2 325 14 0	83 083	2,700 4 2	Total for Sligo
								SLIGO, C D
135 17 6	2 780	90 7 0	779 10 0	12,845	417 9 4	15,625	507 16 4	King-Harman, E C S.
								CLARE
649 18 0	10,574	538 13 2	—	—	—	10,574	538 13 2	MacDonnell, C R. A.
92 10 0	1,688	54 17 2	—	—	—	1,688	54 17 2	White, Hon C W., and anor.
742 8 0	18,262	593 10 4	—	—	—	18,262	593 10 4	Total for Clare
								CORK.
—	—	—	103 10 0	2,415	78 8 10	2,415	78 8 10	MacKay, Margaret.
253 17 0	7,208	235 2 10	1,525 2 0	36,856	1,198 3 0	44,134	1,433 6 10	Clarke, Thomas.
—	—	—	63 0 0	1,466	03 18 0	1,666	63 18 0	Minhear, James
—	—	—	104 0 0	2,255	73 5 10	2,255	73 5 10	Power, Pierce G
—	—	—	2,443 2 0	45,107	1,468 1 2	45,107	1,468 1 2	White, R H. E.
—	—	—	31 0 0	586	18 8 0	586	18 8 0	Creagh, J W R., and anor.
—	—	—	485 5 0	10,270	333 15 6	10,270	333 15 0	M'Kenna, Sir J H.
—	—	—	170 5 0	3,921	120 18 8	3,921	120 18 8	Parks, Florence H., and ors.
—	—	—	156 10 0	3,363	106 6 0	3,363	106 8 0	Cummins, T M., and anor.
—	—	—	650 10 0	15,412	500 17 10	15,412	500 17 10	Warburton, M A C
253 17 0	7,208	235 2 10	5,772 4 0	122,231	3,965 3 10	129,499	4,200 6 8	Total for Cork
								KERRY.
—	—	—	96 4 0	2 007	65 4 8	2,007	65 4 8	Hurley, J. C. D.
19 0 0	508	16 10 2	1,684 14 0	46,425	1,508 16 4	46 933	1 525 6 6	Gun, W. T Jackson.
19 0 0	508	16 10 2	1,780 18 0	48,432	1,574 1 0	48,940	1,590 11 2	Total for Kerry
6,337 4 0(e)	213,645	6,947 7 6	38,302 7 0(e)	808,784	26,244 1 4	1,023,729	33,191 8 10	Total for Non-Congested Counties.
158 17 0(e)	8 208	104 5 2	1,177 12 0(e)	20,026	650 19 0	28,237	755 4 2	Total for Congested Counties.
6,486 1 0(e)	217 153	7,051 12 8	36,476 16 0(e)	826,813	26,895 0 4	1,040,866	33,946 13 0	SUMMARY.

(e) The valuation here given is the Poor Law Valuation at date of purchase by the Commissioners and does not include the value of any buildings erected by them

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Board of Trade Commerce [illegible]

[illegible] 66, 3729] [illegible]

[illegible] 3205] Foreign [illegible]

[illegible] 1761, 2337, 2669] [illegible]

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TO THE

FIFTH REPORT.

MINUTES OF EVIDENCE

(TAKEN IN LONDON, 12TH TO 28TH MARCH, 1907)

AND

DOCUMENTS RELATING THERETO.

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